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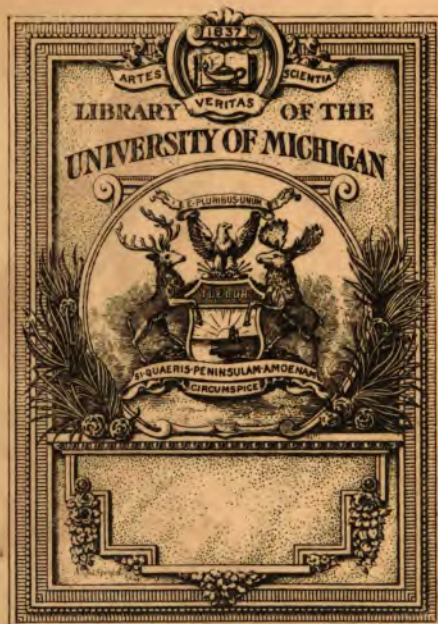
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UNIVERSITY OF WISCONSIN VIEWS

MAYOR VS. COUNCIL

Should a system of municipal government, concentrating all executive and administrative powers in the mayor, be adopted in cities of the United States?

THE TWENTY-SEVENTH

ANNUAL JOINT DEBATE

OF THE

UNIVERSITY OF WISCONSIN. *University.*



SINGLE COPY, POSTPAID, FIFTY CENTS

GEO. B. NELSON

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Twenty-Seventh Annual Joint Debate

PRESIDENT OF THE EVENING, PROF. D. B. FRANKENBURGER

DEBATE

Question—Should a system of municipal government concentrating all executive and administrative powers in the Mayor be adopted in cities of the United States of over forty thousand inhabitants?

INTERPRETATION

"Executive and administrative powers" to include the sole power to appoint and to remove all heads of departments and chief City Officers (except the Treasurer and Comptroller. The Comptroller to have only the powers of an accounting officer.) All subordinates shall be appointed by the head of their respective department, under Civil Service rules, and may be removed by the same for cause other than political. The Mayor, the heads of the departments and the city officers in their respective capacities shall have the power: to make all contracts; to purchase all materials and supplies; to have charge of the construction, improvement, extension and management of all public streets, works and property; to grant all licenses and franchises, subject to confirmation by the common council; to make all estimates for the following fiscal year, said estimates not to be increased by the council.

Conceded that the system is valid under the laws and constitutions of the States and of the United States.

AFFIRMATIVE--ATHENÆ

JULIUS GILBERTSON

J. W. PAGE

OTTO BOSSHARD

NEGATIVE--PHILOMATHIA

FRANK E. COMPTON

GEORGE B. NELSON

THEODORE W. BRAZEAU

Judges: REV. E. G. UPDIKE

MR. REUBEN GOLD THWAITES

JUDGE ROMANZO BUNN

DECISION FOR THE NEGATIVE

Rec'd 1221
MAY 14-31

PREFACE

The literary societies of the University of Wisconsin submit this, the Twenty-Seventh Annual Joint Debate, with the hope that it will be as favorably received by the public, as those of previous years.

Since the first joint debate between the literary societies of the University in 1867, the debate has taken place almost regularly each year and is to-day one of the most important college events. The investigation for each successive debate has become broader and closer, until now the contestants spend a whole year in careful preparation. For a number of years the debates have been published and have been received with favorable comment by the most eminent authorities.

The growth and success of the Joint Debate has been partly due to a peculiar and admirable organization of debating societies which has existed in the University of Wisconsin for years, but more largely due to the head of department of rhetoric and oratory, Prof. D. B. Frankfurter, who has done everything to defend and strengthen the debating societies and to encourage scientific argumentation.

In the preparation of this debate, the contestants visited all the cities under the centralized system and made a personal investigation of its practical workings. It is hoped that the results of their work, which is briefly summarized in the following pages, will add something of value to this important subject.

THEO. W. BRAZEAU, *Publisher.*

INTRODUCTION

The Opinions of the Six Debaters on the Proper Organization of a City Government.

JULIUS GILBERTSON

I regard the "mayor system" the best form of government under existing conditions. The true principles of democracy are opposed to all tendencies towards centralization. But in spite of this fact, the system, which concentrates large powers in the hands of one man, is the only system which can bring home to the average American voter, any realization of his civic responsibility. The reformation of our cities will be the result of evolution.

The presence of large aggregation of foreign-born people, not yet familiar with our institution, together with the saloon, tramp and semi-criminal vote, is the great obstacle in the way of reform. Our large cities are conglomerations of nationalities and classes. Under such conditions there can be no sense of social unity or civic responsibility, without which responsible self-government will surely fail. The reformation, I believe, will be brought about through independent political movements. The average voter is the slave of his party and until this state of affairs is changed, but little improvement can be expected. Every party will be ruled by a certain set of men called the "machine." Under existing laws and circumstances the chances are nine out of ten, that the machine is corrupt. Reformation will come by the education of the rising generations to a conception of municipal patriotism, independence and civic responsibility. Caucus and election laws must then be passed which will give effect to these new forces, and prevent selfish and corrupt men from controlling party organizations.

There can be no doubt but that a large majority of the peo-

ple desire good government. We have not reached the stage where they will rise up in their might and demand it. May the time soon come when they will.

F. E. COMPTON

I believe in the "council system" as the ultimate and best system of government for all American cities. I believe in giving the council practically all power, as it has in English cities. The organization should be as follows. A council of a single chamber composed of members chosen from large districts or at large. A double chamber is a useless complication and a decided step backward in municipal organization. A mayor chosen by the council and responsible to that body. Single heads of departments chosen by the council. The American plan of meeting every abuse of power by the creation of a board or commission, each member of which is to act as a check on the others, is illogical, inefficient, and a complete and undeniable failure in practice. There must be single heads for each department no matter what form of government is adopted. To complete the plan all subordinates should be chosen under civil service rules. While the extremely centralized system may work well in some cities, and for a time bring relief, the system is no guarantee of good city government. The adoption of such a system means practically the abolition of the representative body, the common council, and the adoption of a system of "one man power," to which the American people are heartily opposed. It can never be a permanent system.

If we are to have better municipal government there must come, together with the better organization of our system, a great change in social and political conditions. First of all voters must cease to divide on party lines, and vote for the best candidate presented for the office; greater interest must be taken in the primaries so that better men will be nominated. This may be possible only after some legal regulation of the primaries is brought about. Better men must be will-

ing to sacrifice a little time in the service of the municipality—at least the time necessary to vote. These changes will come through education brought about by unceasing agitation.

J. W. PAGE

Any view of municipal affairs that fails to consider the superior opportunities for men of ability in private life to those offered in public service, that forgets that the first interest of our people is commercial not governmental, that neglects the influence of the heterogeneous and transitory character of our urban population and the ease with which unassimilated classes are controlled by political bosses, is inadequate to a true understanding of our municipal failures. Our cities are passing through a transitory state, and at least while this condition lasts, large and almost despotic powers must be lodged in the mayor. However, the council is the weak department of city government, and ultimate reform, it seems to me, must come from an improvement of that body. Meanwhile the government should be made as simple as possible, to the end that busy citizens may, with a limited expenditure of time and effort, gain an adequate knowledge of the city affairs. The city reports, now often a mass of unintelligible and unimportant details, should be simplified and by statute made uniform throughout each state, that cities may gain by the experience of others in municipal undertakings and by comparison of expenditures.

The tendency toward less legislative interference and more responsibility in the cities seems to be a movement in the right direction, but restrictions on the taxing and debt creating powers must be maintained. The general adoption of civil service laws will be a valuable improvement. The mayor's cabinet, as tried in Boston, has been successful, and state boards of municipal control have elements of strength for the reform of our municipalities.

G. B. NELSON

A year's study of municipal charters, together with quite a complete investigation into the practical workings of the various systems, ought to have given me settled convictions on the question of municipal organization, yet this is not quite the case. When I contrast the present loosely organized and irresponsible system, with a system which concentrates all executive and administrative power in the mayor, I have no doubt as to which is the better system. In such a comparison I think the concentrated system vastly preferable. But when I compare the mayor system with a system organized with the aim of giving large powers to the city council, I find myself uncertain as to which one to choose.

I have not studied the mayor system without becoming a thorough admirer of many of its features, but at the same time I have not failed to recognize some of the dangers and evil tendencies of such a system.

The mayor should undoubtedly have large powers and should be held correspondingly responsible, and in nearly all cases there should be single heads of departments in the administration of city affairs, but I cannot sanction a system which practically makes the mayor the entire city government. Such a system may be partially justified from a standpoint of present conditions. Perhaps no system will arouse the people to a realization of their civic duty quite so well, but it seems to me to represent the temporary and not the permanent system. Under the mayor system the council has a tendency to remain bad, if not to become actually worse. When the people fix the greater part of their attention upon the election of mayor, the council must suffer. Little improvement in its character can be hoped for. The mayor can never be all of the city government, for a strong council is indispensable to a city government. At the present time I believe the great problem in our cities is to improve the councils. We can never have good city government as a permanent thing until the councils are improved. I would there-

fore favor a system with a council of a single chamber, chosen at large and with power to choose the mayor. The mayor thus chosen, should have absolute power to appoint and remove his heads of departments. This would make the election of a council the all important thing. It would give us located responsibility and unity, a good council and a powerful mayor, and a system eminently republican.

OTTO BOSSHARD

Under existing conditions, I believe the "federal plan," as outlined in the question discussed, the system best adapted to the government of American cities. First, because the system is simple, thus giving opportunity for more efficient and economical administration than is possible under the complex and cumbersome "council" or "commission" systems. Second, because under this system responsibility is definitely located, thereby lessening the opportunity for corruption, which under the present system with division of responsibility can flourish without fear of detection or punishment.

There is of course much truth in the statement that "any system will work well if administered by honest and capable officials." But the very difficulty with our present systems has been in securing such men.

It is a well known fact in politics that the less important the office the less care exercised by the electors in filling it. This has been especially true in the selection of aldermen in the larger cities. Consequently our city councils contain a large per cent. of incapable and dishonest men, and when the administration of municipal affairs is in their hands it suffers.

On the other hand, even now, when the mayor has little real power, political parties generally present a candidate for that office with far greater ability for municipal service than the average alderman. Charges of corruption or incompetency are not as often brought against the mayor as against

the council. This being true, it is but natural to conclude that the "federal system" where the dignity and importance of the office will be much greater than at present, even better men will be chosen mayor, thus insuring more satisfactory administration.

Were it not for the difficulty of obtaining honest and capable aldermen in our larger cities, the council system would be preferable, for it is more democratic, i. e., it gives the citizens a larger and more direct share in the actual administration of the city. But as long as conditions remain as at present, the federal plan, insuring as it does the selection of a better mayor seems preferable to a system which would concentrate all power in the council.

THEO. W. BRAZEAU

The typical American municipal organization, with its boards, commissions, and other complications, though not the sole or even greatest cause of poor city government, is no doubt an evil, which must be removed before the best results can be obtained. Between a system of checks and balances such as we have at present, and a system which concentrates all executive and administrative power in the mayor and single heads of departments, the latter is without a question far better. Under the conditions which prevail in many cities at present it is perhaps the only form of organization which would give good results. Between the "mayor system," however, as a permanent system, and a system which vests great power in the council, I am convinced that the "council system" must be the final and permanent organization; not because European cities have had good government under such a system, but because it is the simplest and most consistent organization.

As long as the people elect an independent executive, it will be found difficult, if not impossible to concentrate the proper attention on the election of a strong council, and that branch of the city government will be neglected, no matter

how important its duties. If the council is stripped of its powers, it will become only a clog upon our municipal machinery. A strong mayor and strong council cannot exist together unless the mayor is chosen by the council. No one would think of vesting all power, both legislative and executive in the mayor alone, or of abolishing the council, nor would such a system secure the best results. Neither would one propose to have the council, in this country, conduct all executive and administrative as well as legislative work. The system which seems best adapted to our conditions is to have a mayor the executive and administrative head of the city, elected by the council; to have each department under a single head appointed by the mayor; and to have a council of a single chamber, the councilmen to be elected from large districts. Under such a system it would be absolutely necessary for the people to elect a good council before they could have good government, but their whole attention would be centered on the election of aldermen, and not divided as at present. Such a system would also secure perfect responsibility.

Of course no change of organization will bring good government. It will make good government easier to obtain and that is all. Good men must be chosen to run the machinery and to choose good men the people must sacrifice time, party prejudice, and personal gain.

JULIUS GILBERTSON, ATHENÆ

The great forces that have revolutionized our industrial life are rapidly making our cities the controlling factor in modern civilization. The educational and social influences of city life likewise irresistibly attract our rural population. The inevitable result is that city life is destined to be the lot of an ever increasing proportion of mankind.

CHART 1.—INCREASE OF URBAN POPULATION.

Year.	Population.	No. of Cities	Urban Population.	Per ct. Urban	Per cent. Increase of Populat'n.	Increase of Urban Popul'n.
1790.....	3,929,214	6	131,472	2.3	.....	.....
1800.....	5,308,483	6	210,873	3.0	35.10	.62
1810.....	7,229,881	11	356,920	4.9	36.39	.59
1820.....	9,633,822	13	475,135	4.9	33.07	.75
1830.....	12,866,020	26	864,501	6.7	33.55	.55
1840.....	17,069,433	44	1,435,994	8.5	32.67	.60
1850.....	23,191,876	85	2,897,586	12.5	35.87	.43
1860.....	31,443,321	144	5,072,256	16.1	35.58	.57
1870.....	38,558,371	226	8,071,875	20.9	22.63	.61
1880.....	50,155,783	286	11,318,547	22.5	30.08	.70
1890.....	62,622,250	443	18,284,385	29.0	24.86	.60
1895.....	72,000,000	.....	25,000,000	34.7	20.00	.70

From 1880-1890, as shown by this chart, (chart No. 1) the population of the United States increased about 25 per cent., while in the same period the urban population increased 66 per cent. At this rate the number of people in our cities at the present time must be over 25,000,000, or more than one-third of the whole population.

Out of each \$100 contributed by the taxpayers of the cities, about 80 per cent. goes to the city, while the entire burden of the county, state and national taxation amounts to only 20 per cent. The city debt is so great that the share of each citizen is nearly ten times as great as his share of the state and national debts.

With these facts before us, we can better appreciate the great importance of the subject we are to discuss this evening.

The condition of municipal governments, in America to-day, justifies the most serious alarm. Investigations made during the past few years have revealed a degree of corruption far beyond the wildest imaginings of the most pessimistic reformer; franchises worth millions of dollars are voted to corporations without a cent of compensation to the public; enormous and unnecessary debts are contracted; the unbusiness-like organization of the different departments results in the greatest inefficiency and waste; and the word "alderman" has become a synonym for corruption.

The common knowledge and observation of every citizen makes it unnecessary for me to here refer to specific cases of maladministration, and yet the hundreds of cases of extravagance and corruption in city administration brought to the attention of the public during the past few years are as nothing compared to the evils not brought to light, but which the public nevertheless is forced to endure. Says Pres. Smart, of the Purdue University: "It is a notorious fact that a dollar in the hands of a municipal government has no greater purchasing power than a half dollar in the hands of a private citizen." Bryce declares our cities to be: "The one conspicuous failure of American institutions." Says Andrew D. White: "Without the slightest exaggeration we may assert that with but a few exceptions, the city governments of the United States are the worst in Christendom, the most inefficient, the most expensive, the most corrupt." This also was the conclusion of the Citizen's Association of Chicago in 1891, after an extensive investigation of the condition of over 100 cities. That there is an evil to be remedied, no student of city government will deny. Now let us find where the evil lies, its cause and remedy.

A good city government depends on two factors; (1) the efficiency of the machinery of government, and (2) the man-

ner and spirit in which that machinery is administered. It is true that the most perfect governmental machinery is no guarantee of good government unless the motives of the officials are good, yet it is likewise true that cumbersome and complicated methods of administration, such as exist in most of our cities and such as the negative defend here to-night, are sure to bring unsatisfactory results. They prevent efficient administration and by dividing responsibility foster wastefulness and corruption. The administrative organization of our cities is therefore of the utmost importance. A city is, above all things, a business corporation. The questions of streets, water, sanitation, safety, etc., are questions of business and not of politics. Even now under the present system, no matter how bitter may have been the strife at the election, when once the administration is organized there is no longer a struggle between democrats and republicans, but a struggle between extravagance and economy, between expenditure and retrenchment. These facts being true, it follows that in order to secure the best results in administration the city should be organized on business principles. Organized so as to secure harmonious, unified and responsible administration. This is the test by which a system of city government must be judged. The chief merit of our system is that it is a business system. The chief fault of the prevailing system is that by being unbusinesslike it leads to wastefulness, mismanagement and corruption.

Among the English speaking people there are three more or less distinct types of city administration. In the first the common council is the all important body; it not only passes laws and ordinances, but carries on the administrative and executive work of the city by means of its committees and appointees. This is the English system. The second type is the board or commission system. Legislative and executive functions are distributed among numerous boards, commissions and individuals. Once in office these boards are practically independent of one another and responsible to no

one. This, in a hundred varied forms, is the prevailing type of city government in the United States to-day. The third type separates the legislative and executive functions and makes the mayor the responsible head. This is called the federal plan, and is the system we advocate.

The three great defects in the system of city government now prevalent are: (1.) The consolidation of legislative and executive functions in the same bodies, for example, in committees of the council. (2.) The distribution of the executive power among boards and individuals, so that the people are unable to locate responsibility for misgovernment and mismanagement. (3.) The employment of subordinates not on account of their experience and training, but on account of personal and political favoritism.

The granting of executive powers to the alderman, thus over-burdening that body with the minor details of the city administration, has probably been the most important factor in the deterioration of the common councils. In nearly all the large cities the duties of an alderman are so exacting, that if properly performed they consume his entire time. In America, having no leisure class, the result has been that the office of alderman instead of being filled by men of intelligence and business ability, is occupied by men of a very low standard. Says the Pennsylvania commission: "The consolidation of executive and legislative functions in the committees of the council is the chief cause of our municipal evils."

The distribution of the executive functions of the city government among separate and independent boards, has been due principally to two facts: (1) the distrust of the common council, and (2) the delegation by an over burdened council of certain powers to committees which finally become permanent. There is no uniformity in the manner of appointment of these boards. Some are appointed by the mayor; some by the council; some are elected by the people; while still others are appointed by the governor of the state. These boards, possessed of both legislative and executive functions, inevitably clash, and the defect of the system becomes ap-

parent in the impossibility of locating responsibility. For example, in the city of Chicago there are fifteen independent governing bodies, besides the ordinary departments of the city government; and six of these have the power of levying taxes and making appropriations. In the city of New York, says Andrew H. Green: "There are eighty boards and individuals which create debt independent of one another." Says Lisperard Steward, a member of the Fassett Committee: "The most disastrous results in New York city government have been caused by a division of responsibility." This complicated division of responsibility is found in nearly every city. For example, Denver has ten boards, Milwaukee ten, Baltimore eight, Detroit ten. Denver, St. Louis, Cincinnati, Boston, and many other cities have their police boards appointed by the governor of the state. In Detroit, the Board of Health is appointed by the governor. In Omaha the park commissioners are appointed by the district judges. Then too the length of the term of office varies greatly. In the city of Milwaukee, the head of the board of health holds office for four years, the city engineer for three, the members of board of public works for three, park commissioners for four years. The mayor holds office for but two years. It is therefore utterly impossible for him to control men who serve for a longer term.

When Mayor Strong entered upon his duties as mayor of New York city, he found twenty-one heads of departments, whom he could not remove. And had they not been legislated out of office by the New York legislature, it would have taken three successive victories by the reform element, before the city could have got rid of the corrupt Tammany officials. Says Prof. Thomas, in his history of Baltimore: "The division of city administration among boards is contrary to correct principles of administration as well as to good rules of business management. The reason is obvious. * * * The investigator who wishes to locate any piece of blameworthiness, when government is carried on by a complicated system

of commissions, will wander through the devious mazes of administrative irresponsibility, and wander in vain." Says Albert Shaw: "City government in the United States defeats its own ends by its checks and balances, its partition of duty and responsibility, and its grand opportunity for the game of hide and seek." Thus we see the chaotic character of our city governments. The mayor, the aldermen, the committees of the council, joint standing committees, boards for the government of charities and health, commissioners of streets, fire, police, water, etc., the old town governments, which still survive in some of our largest cities, like Chicago, all of these in some sense executive, all operating within the same limits often impeding one another, rarely consulting one another, each jealous of any interference by another, all without common direction or common responsibility. City governments are primarily business corporations. What business man would divide the management of his business among a score of conflicting and irresponsible bodies?

In place of this system, or rather lack of system, we present a plan which makes the mayor the real head of the city. There is definite responsibility on the part of the officers. The departments are as few and as well concentrated as is consistent with the duties to be performed, and so related to one another through the mayor that unified, harmonious, economical and responsible administration can be secured. This plan consolidates the numerous governing bodies into a sufficient number of departments, and separates the executive and legislative functions. The mayor, who is elected by the people, is given the sole power of appointment and removal of the heads of departments, and is thereby made responsible for all the administrative and executive departments. This in brief, is the federal plan, and the system we advocate tonight. Its two main characteristics you will notice are: (1) It separates the legislative from the executive functions; and (2) By giving the mayor the power of appointment and removal of the head of departments, it makes him directly re-

sponsible to the people for the proper administration of the city.

This system is the logical outcome of positive tendencies that have pervaded American municipal life for the past fifty years. It is the system toward which our cities are rapidly moving. It is not an untried system. Our plan does not involve a rigid, iron-clad form of government for every city in the country. The number of departments will depend on the size of the city and kind of work that the city undertakes. We hold to the two vital principles of government, namely, the concentration of responsibility in a definite head, and the complete separation of the legislative and the executive branches of the city. Our plan does not reduce the council to a nonentity, but under it that body is to have legislative powers only. Like Congress, and the state legislature, it is to direct, not execute.

The idea of a strong executive is in line with our municipal development. The committee system, as it existed in England in the 17th century, became the model of our original municipality. Local administration was centered in the council. The mayor was a mere figurehead. Since then the development has been, (1) toward the concentration of power and responsibility in the mayor and the executive officers. In Philadelphia, for example, from 1701-1789 the mayor was chosen by the council, and had not even the power of veto. He remained a component part of the council until 1796. In 1854 he ~~was~~ given the power of appointment. Gradually more power was granted until in 1887 the mayor was made the responsible head of the city administration.

Boston received its charter in 1822. This gave the mayor only the powers of a police magistrate. From 1829-1885 all the executive work was directed by the committees of the council. In 1854 the mayor was given the power of veto, and the right to remove appointive officers. The charter of 1885 transferred all the executive powers of the city to the mayor and prohibited the council from interfering in any way in the

conduct of the executive business. In 1882, Brooklyn adopted the federal plan of city government, Cleveland in 1891, Indianapolis 1893, Fort Wayne in 1893, Evansville in 1893.

The following cities have, during the past year, adopted practically the federal plan: Columbus, Holyoke, Elmira, Springfield, Ohio, Bridgeport, Buffalo, Binghamton, Portland, Ore. We have examined the charter of every city coming within the limits of this debate, and nearly all show a tendency to give the mayor more power. This fact is also substantiated by letters we have received from public officials of those cities. We thus see that the whole tendency of our municipal development is in the direction of a strong executive. That this tendency is recognized and approved is shown by the position of students and authorities on the subject of municipal government. The Fassett committee appointed by the New York legislature in 1891, which gave the most comprehensive report ever published on municipal government in the United States, on page 95 of its report says: "There is no reason why the same principles of marked division between the legislative and executive functions should not be applied to the city as well as the state." Says Grover Cleveland: "If the chief executive is to be held responsible for order and good government, he should not be permitted to find in divided responsibility, excuse for any neglect of the best interest of the people." Writes Theodore Roosevelt: "I heartily favor your side. Speaking with a practical knowledge of the subject, I want to emphasize the need of centralizing responsibility." Says Judge Dillon in his work on municipal corporations: "Experience has demonstrated with us the necessity of granting more power and responsibility to the executive head of our municipal institutions." The principles of our plan have been advocated by the following commissions: The Pennsylvania commission of 1876, Fassett commission, Greater New York commission, commissions for the second and third class cities of the state of New York, New Haven, Lowell, and many others. Committees

have been appointed during the past year to revise the charters of the cities of Omaha, Denver, Toledo, San Francisco, Springfield, Mass., Portland, Me., Lawrence and Worcester; each and every one have prepared charters making the mayor the responsible head of the city. The charter recommended by the National Association of Good Government Clubs, embodies the principle of a strong executive, and the separation of the legislative and executive functions. Out of 125 letters sent to the boards of trade and civic organizations, we have received 104 replies. All of these, with the exception of two comparatively small cities, answered that the federal plan is best suited for the government of their respective cities. Not a single one favored the granting of more powers to the common council. Students and authorities on the subject of municipal government in this country, are practically unanimous in favor of the principles on which our plan is based. Among the many authorities we may mention Pres. Seth Low of Columbia college, Simon Sterne, Judge Dillon, Wm. Evarts, Prof. E. J. James, Franklin MacVeagh, James C. Carter, Fred Grant and Prof. H. C. Adams, Theodore Roosevelt, Grover Cleveland and David Dudley Field.

That great evils exist in our municipal institutions, must be admitted; these evils cannot be attributed to any censurable characteristic of our people, but must be attributed to the irresponsible, the complicated, and unbusinesslike system under which our cities have operated. We have attempted to govern our large and rapidly developing cities by an antiquated form of government. Our cities are to-day in a transitory stage, and are going through the same process of evolution as the early state. The early state was at first governed by the town meeting or the common council plan of government. As wealth and population multiplied, this plan became inadequate, and the democratic states almost universally adopted the principle of the separation of the legislative and executive functions. Villages and small cities of the past century could be well governed by the archaic plan. But now

we have reached the stage where the city is of such great importance, that it represents more wealth and population than many states of the past century. With this growth, the same necessities which confronted the early state, now confronts our cities. And moreover, so far as our cities have gone they have solved the problem in the same way as the early state. Bitter experience has forced them to seek the same remedy. The fact, that every important change in American charters, has been in the direction of a strong executive, and the further fact that students and authorities, who are best able to judge, are practically unanimous in favor of this tendency, prove conclusively that the city of the future will be governed by a mayor and a council, the first having executive powers, the second having legislative powers. These are the vital principles for which we contend.

F. E. COMPTON, PHILOMATHIA

The government of the larger cities of the United States has not been entirely satisfactory. This fact has led some of the less hopeful reformers to declare that representative government in our municipalities is a failure, but this conclusion is not warranted and follows from a superficial view. If we look carefully we see that the representative system in our cities is not a failure, but rather deserves much praise. The system has had to contend with a host of evil conditions and tendencies and still in spite of them all has worked fairly well. As President Seth Low, of Columbia College, says: "The marvel would seem to be not so much that American cities are criticisable for many defects but rather that results so great have been achieved in so short a time."

The evils of our municipal government spring from many complex causes. Chief among these causes is the marvelous growth of our cities. "The problem in America," says President Low, "has been to make a great city in a few years out of nothing." From mere villages fifty years ago New York, Chicago, Brooklyn and Philadelphia have each come to number nearly two million inhabitants, while other cities have grown at nearly the same rate. This rapid growth necessitated extensive public improvements. In a few years miles upon miles of new streets were paved, street railway franchises were granted, sewer, gas and water systems established, parks laid out and improved and great public buildings erected. This hasty extension of public works was naturally wasteful. Here was laid the foundation of the present municipal debt, and here was the opportunity for corrupt politicians to fill their pockets at the public treasury. Then too, this rapid growth made it impossible to forecast the future; great public buildings were scarcely finished before they were remodeled and enlarged, sewer, gas and water systems were

constantly extended; everywhere there was reconstruction and expansion to meet the demands of our ever increasing population. This rapid growth, the prime cause of inefficient government, was itself the result of a large foreign immigration. Much of this immigration was undesirable and brought many serious evils to the nation. It crowded our cities with a heterogeneous population, ignorant of our institutions, indifferent to the public welfare. From this undesirable immigration has come our slums, our class vote. It made ring rule possible. Its evil effects were multiplied by a reckless granting of the right of suffrage. Foreigners without property, without knowledge of our municipal affairs, cast their ballots in every city election.

These causes, the rapid growth of our cities, and an undesirable immigration, in themselves show why our municipal government has been inefficient. But we must add to these, the transitory character of our population. Population in America has moved steadily from east to west, Philadelphia, Chicago and St. Louis have been mere stopping places in this western migration. Foreigners make up a large part of the population of our cities, and their brief residence of a year or so, cannot but result in lack of interest in the cities' welfare.

Another powerful cause of poor city government is the influence of the saloon and municipal monopolies. The saloon has a great deal to lose under good city government through the enforcement of laws regulating the sale of intoxicants. The liquor power has everywhere been active in the control of municipal affairs. "Of the one thousand and seven primaries held in New York City in 1884, 633 were held in liquor saloons." Municipal monopolies too have much to gain by poor administration and so take an active part in politics.

These causes are rendered more efficient for evil by the fact that the American people have little administrative knowledge. The city must deal with intricate problems, political and economic; such as taxation, regulation of natural monop-

olies and charities. Ten years ago these subjects were hardly even taught in our colleges. People were ignorant of the principals of municipal government, incapable of distinguishing good administration from bad. To-day every body is studying municipal questions in colleges and clubs and the next decade will witness a mighty change in municipal affairs whatever the form of government may be.

Again, our city government has been poor because of the evil union of national and municipal politics. Party bosses owe their power to partisan politics. "Four-fifths of the electors," says Mr. Bryce, "give little thought to personal qualifications and vote the straight out ticket." The great New York commission of 1877, on municipal government in its report says: "The political division of good citizens paralyzes all ordinary effort for good municipal government." Says James C. Carter, President of the National Municipal League: "If national politics could be excluded from municipal affairs and officers elected on merit the municipal question would be solved."

Gentlemen, the rapid growth of our cities, undesirable immigration, broad suffrage, transitory character of our population, intrusion of national politics, these are more than adequate causes to account for poor city government.

But there is still another, the interference of state legislature in city affairs. Selfish politicians in the legislatures have encouraged municipal extravagance which the people were powerless to prevent because the legislature was beyond the reach of the city voter. Besides this, not a session of any state legislature goes by without a change in the charters of our large cities. The New York commission in 1877 gave state interference as the main cause of poor city government. The report of the Fassett Senate committee in 1890, the most scholarly and complete report ever made on city government, says: "Your committee cannot too strongly condemn this interference as one of the chief causes of the miscarriage of the local administration." State interference takes the gov-

ernment out of the hands of the people and places it in the lobby of the legislature. City officers have been appointed and removed, new offices created, streets paved, public buildings erected and the city burdened with debt to gratify the desire of state politicians. In fact: "Frequent legislation has destroyed all local self-government." Said James W. Pryor, secretary of the City Club of New York, in an interview: "If we could have for ten years in this country a single free city of a million inhabitants we should hear very little more about the hopeless problem of municipal government."

There is still another cause of poor city government that must be mentioned, the apathy and indifference of the best citizens to municipal government. On account of the bad elements in city politics, the absorbing commercial interests and isolation of the individual in cities, a large number of people take no interest in the government of our municipalities. In a democracy the government depends upon the people and the problem is a problem of arousing the people's interest. Said Prof. Edmund J. James in a personal interview: "We have never had a form of government in our American cities which has been so bad that if every citizen would do his duty we could not have obtained good results."

The concentration of power has not aroused the peoples' interest, and has failed as a measure of reform. The way to arouse civic pride is not by a change of charters but by education, education through reform associations and the study of municipal government.

Thus far I have shown that the evils of our cities lie not in our form of government but in social and moral conditions, quite apart from the form, which conditions must be changed before better government can be hoped for. Yet the affirmative ignore these fundamental causes when they ask you to adopt a radical change in our municipal system and thus declare representative government in our cities a failure. They propose to give to one man not only all executive and administrative but many legislative powers. In fact, they ask

you to take a step backward in the evolution of government and in place of our representative system establish a system of municipal Cæsarism. A system that at most can only be advocated as a temporary measure, a war measure, but even as a war measure the system cannot remove the fundamental evils of our city government; but in many respects indeed would aggravate them. Then to advocate such a scheme as a permanent system is absurd.

We, on the other hand, gentlemen, advocate measures of reform that will remove these fundamental causes that I have mentioned.

To prevent the evil union of national and municipal politics we advocate the entire separation of municipal from state and national elections.

To prevent legislative interference and charter tinkering we advocate local self-government for all cities, so that the voters of the cities can control municipal affairs.

We advocate the strict enforcement of our naturalization laws and the improvement of our primaries, so that they will attract and not repel our best citizens.

To remove the evils of the spoils system we advocate the appointment of subordinate officers under civil service rules, enforced by a board of non-partisan civil service commissioners.

These measures of reform are exactly the measures proposed by the national municipal league, by all the good government clubs in the United States, advocated by every student of municipal government and have brought most beneficial results wherever they have been in operation. We recognize that such causes as the indifference of citizens and lack of administrative knowledge can only be remedied by education and agitation. These two forces have already greatly improved our city government. We recognize that other causes, as rapid growth, immigration and transitory population, are gradually passing away and the condition of our cities is steadily improving.

So with the enforcement of the reforms I have mentioned no reason can be urged for a change of our municipal system, but even were a change of system desirable the radical scheme advocated by the affirmative can not remedy but will only increase our municipal ills.

The system of the affirmative throws immense power into the hands of the mayor by giving him control of the municipal patronage. But the affirmative argue that this patronage will be removed by the appointment of subordinates under civil service rules. The temptation under their system, however, for one man to gain control of all appointments has been so great, that without a single exception, the rules of the charter have been completely disregarded in every city where their system has been tried. In a personal interview with Prof. Edmund J. James, formerly of the University of Pennsylvania, he said: "In Philadelphia subordinates are appointed and removed in the same manner as provided in your question, but this power has been greatly abused, the spoils system is as bad or worse to-day than before the rules were adopted." In New York city, under a system similar to the affirmative, the rules have been disregarded in the same manner. The senate committee reports as follows: "In New York city the officers are still almost without exception from the highest to the lowest the prizes of political life and the rewards of party service." In Brooklyn where the system of concentration has had a most thorough trial the results have been the same. Under eight years of successive administrations, the civil service rules were entirely ignored, and the spoils system reigned supreme. In Indianapolis the civil service rules would, if enforced, exclude all political reasons for appointment in the city service. But every mayor since the adoption of the centralized charter has utterly disregarded these rules. The city charter was so recklessly violated that a special commission was appointed to examine the civil service of Indianapolis, and reported as follows: "Large numbers of employees have been removed

and others appointed without the slightest regard either to the rules or the charter." "The best interests of the city are being disregarded for the benefit of personal and partisan consideration." This, under a system exactly like the affirmative in the city of churches and homes, where conditions are almost ideal for the perfect operation of these rules.

This, gentlemen, is the practical working of the affirmative's theories. It is easy to see why civil service rules should break down under their system when we observe that subordinates are appointed by the heads of departments who are dependent upon the mayor for their position. These heads of departments then, being subservient to the mayor would be strongly tempted to use these rules for partisan purposes.

So we see that civil service rules under a concentrated system cannot prevent the mayor from building up a strong political machine.

Let us now pass to the point of locating responsibility. The affirmative urge that under their system they will have responsibility located in the mayor. But, gentlemen, they still retain the council and give this council joint powers with the mayor, so, in accord with their own theory, divide the responsibility in government. While the idea of located responsibility may sound well in theory, in practice it has proven most unsatisfactory. Located responsibility goes for nothing if it does not move the people to action. It means nothing if it does not remove corruption from municipal government. And, gentlemen, here the system of the affirmative has ignominiously failed. We have just seen how located responsibility has failed to prevent the greatest abuse of the civil service rules. In addition to this, experience teaches that so-called located responsibility has not prevented the most corrupt mayors from being elected, has not prevented these same men from being re-elected, or from being succeeded by mayors equally as bad or even worse. In an interview with Hon. A. K. McClure, editor-in-chief of the *Philadelphia Times*,

he said: "The theory of responsibility may be sound, but the practice is decidedly weak. Our present system has proved a great power for harm. We have not been able to elect a good mayor since the centralized charter of 1887 was adopted." If located responsibility means anything why was it that under the affirmative system in Brooklyn the people re-elected Mayor Chapin after one of the most corrupt and extravagant administrations in the history of the city? Located responsibility goes for nothing if the people turn down one corrupt mayor and elect a worse one in his place. Yet this has been the experience in Brooklyn, New York and Indianapolis, where the system of the affirmative is in operation.

Our poor city government is not due to a lack of located responsibility, but to the indifference of the people. In every city it is known that the mayor is responsible for the enforcement of all city ordinances, such as the regulation of the saloon and gambling houses, yet the people do not hold the mayor responsible. There is hardly a city in the country where the mayor is doing his duty in regard to the enforcement of these laws.

When brought to the test of experience their system has failed in the very respect where it seems theoretically perfect. Not only has the system failed in the United States but the idea of concentrating power in the hands of one man has never found acceptance in any of the European cities. In England, Germany, France, Scotland, Canada and other foreign countries the council has been given full power in municipal government and these countries have achieved wonderful success in the control of their cities. While there are slight differences in conditions between foreign countries and the United States, we must remember that the work of cities the world over is the same. As Ex-Mayor Mathews, of Boston, an adverse witness in our case, says: "It must be conceded that the common argument that most of the city's work should be vested in an executive officer, is refuted by the experience of

foreign cities." Even the affirmative must admit that if there is any inherent weakness in the council system it would have shown itself in the many foreign countries where it has not been in practical operation. Especially as it has operated in many different countries under entirely different conditions. England has a set of conditions different from those in France, Germany from those in Scotland and Scotland from those in Canada. Yet the council has been eminently successful in all of them. In spite of this fact the affirmative claim that our poor city government is due to our system of government by the council. To maintain this proposition they must disregard the fundamental causes that I have mentioned, and they must explain why city government in the United States has shown such a marked improvement wherever these causes have been removed. When they have done this they must show why the council has worked so successfully not only in all foreign cities, but in many cities in the United States. In Minneapolis, Atlanta, Nashville, Springfield, Mass., and many other cities they have the council with large powers and the people are well satisfied with the government. Says Hon. Robert Pratt, of Minneapolis: "The system under which we are chartered is known as council government. I prefer it in many respects to the one you are discussing." Says Julian Ralph, a student of municipal government: "The government of Minneapolis is certainly a success." Said A. S. Collier, in an article on Nashville: "The business of the city is as well conducted as a bank." Says Mr. Kennedy, of Memphis: "The system of government of Memphis is excellent." Hon. W. W. Mershon, of Saginaw, in an article "in Municipality and County," said: "We think we have a model city charter." Writes Hon. Mark Hubble, of Buffalo: "Our city government is most satisfactory." Said A. H. Davis, of Atlanta, at the recent good government conference at Baltimore: "Our charter works well. It seems admirably adapted to our local needs. Under our present charter for twenty-two years the city has never lost by misappropriation or embez-

zlement of its funds." Said Geo. A. Denison at the same conference: "Springfield has never been ruled by a ring. When departure from the path of municipal rectitude has occurred the people have been swift to rebuke them and to turn the careless servants out of office."

In other cities with the same system good government has not been as satisfactory, which shows conclusively that charter is not the cause of poor city government.

We must conclude, gentlemen, that the evils of our city government are due to social and political conditions such as rapid growth of our cities, foreign immigration, broad suffrage, transitory character of our population, confusion of national and local politics, poor primaries, the spoils system, interference of state legislatures, and the apathy and indifference of the better classes in our cities.

We must conclude that the only remedy for corrupt city government is the removal of these fundamental causes.

We must conclude that the concentration of power in one man does not strike at the root of the evil, and is therefore superficial and ineffective.

We must conclude that such a system would lead a corrupt man to abuse the civil service and charter, through his ambition to gain political power, as the experience of Indianapolis and Brooklyn has shown.

We have seen that located responsibility in practice has utterly refuted the theoretical claims for such a scheme.

We must conclude that when the spoils system has been removed from our cities by civil service reform, when we have better primaries, when voters divide on the line of good or bad city government, instead of tariff or currency, and when there is an enlightened civic interest, such a radical change will be unnecessary. Until many of these changes occur such a radical change would be ineffective if not vicious.

We have every reason to be encouraged from the stride municipal reform has made the last few years. Municipal re-

form movements have centered the people's interest on the necessity of good city government.

We have certainly passed the period of great municipal inefficiency, and the tendency in all cities is steadily toward improvement.

J. W. PAGE, ATHENÆ

Our opponents have admitted the evils of our municipal governments, but they have sought to attribute them to causes that cannot be changed by the form of government, to the saloon, immigration, state interference, etc. How would they remedy the evils they admit? Does the present plan of dealing with the saloon in Milwaukee, where each alderman practically has the granting of the licenses, suit them better than the plan we propose? Their plan makes it necessary for the saloons to control the alderman.

The evils they have pointed out are evils indeed but what remedies have they proposed? A single city cannot prohibit immigration, nor even legislative interference. The remedies they propose are not practical, they are extensive not intensive. How can the reforms they hint at be accomplished? On the other hand our plan is tried and practical and in every city where it has been adopted we will show you that a marked improvement has taken place. The reforms the negative have mentioned, impossible of accomplishment, are designed to conceal the evils which the negative admit exist. Gentlemen, our opponents have admitted our cause of action and to win this debate must propose a better plan than we advocate. This is the only logical conclusion from their admissions but we apprehend from the tenor of the gentlemen's debate that by a general admission of poor city government, and a denial of specific charges they, in the face of astounding instances of misgovernment and corruption will take the position that present conditions do not warrant a change. In taking this position they place themselves in opposition to every student of the question and every investigating committee, and I ask your indulgence while I mention a few of the hundreds of cases of corruption that have led such men as James C. Carter to declare that, "Our city governments il-

lustrate every form of public disgrace." I need not recall the notorious Broadway scandal in New York in which a street railway franchise was corruptly passed over the mayor's veto, investigation of which showed that all but two of the twenty-four aldermen were implicated in the corrupt deal. Nor need I mention the infamous Gas Ring, which for more than thirty years controlled the patronage and elections in Philadelphia, and robbed the city of millions of dollars annually. Only last year the Tennessee Bar Association reported that property in the cities of that state was being abandoned because of the deplorable condition of the city governments. And this state contains one of the cities whose government they have spoken of so highly.

During the past thirty years the debts of 100 of our largest cities have increased \$400,000,000, and there is absolutely nothing to show where more than half this outlay has gone. Take for example the city of New York where the debt increased \$41,000,000 between 1890 and 1895, or Elizabeth City where the indebtedness all accumulated during the last few years, for street improvements at exorbitant rates, equals one-fourth of the valuation of all property in the city. Still the gentlemen tell us our cities are not badly administered.

Two years ago a law was passed in Missouri compelling the sale of franchises. The day before the law went into effect, the Kansas City common council in forty-five minutes granted to private companies thirteen franchises valued at over \$6,500,000, and for which the city did not receive a cent. The council of Omaha last year attempted to grant an exclusive franchise for fifty years to supply the city with water and gas at exorbitant rates; the mayor by his veto secured concessions worth more than a million dollars. In 1895 eleven of the thirty-three New Orleans aldermen were indicted and three sent to prison for corrupt franchise deals. I might give hundreds of instances but no one doubts the part played by corruption and bribery in the granting of

franchises. An investigation by the Toledo Board of Trade showed that the city had been robbed of more than \$1,000,000. Cincinnati is to-day so completely under the control of one independent and irresponsible boss, that no ordinance is passed or officer elected without his approval. Without a visible income this man has built a palatial home. Last August in the city of Memphis an alderman was sent to prison for soliciting bribes. In the city of Lowell another boodle alderman was convicted in November. To-night in Des Moines boodle money belonging to a gas company is held in a bank.

If more instances of corruption are necessary the record of a single week last month is as conclusive as it is disgraceful. In New York, Mayor Strong by his veto of a corrupt franchise ordinance saved the city \$10,000,000. In Omaha the city engineer's department was being investigated because of inefficiency and corruption. In Chicago, John M. Harlan, son of Justice Harlan of the supreme court, in a public meeting declared that every committee of the city council is controlled by aldermen whose votes are for sale; that the Calumet franchise cost the company \$100,000 corruption money. William Giles estimates that more than \$4,000,000 has been paid to the council directly during the past eight years. In that city, Martin B. Madden, an irresponsible alderman, has been for six years the acknowledged boss of the council, dictating its policy, having charge of all contracts and controlling the expenditure of over \$15,000,000 per annum. Nor is this all, during the same week the investigations of a grand jury in Minneapolis revealed the fact that a majority of the aldermen have been systematically robbing that city. They have demanded and received a regular percentage on the contracts which they have let, amounting it is believed to ten per cent. of the city's total expenditures. They have levied assessments on every man whom they have appointed to a city position, and from this source received \$30,000 a year. The grand jury is still in session, and what their investigation will reveal is not known, but already some indict-

ments have been returned, and enough is now known to condemn Minneapolis as one of the most corruptly governed cities in the country. This kind of municipal corruption, not unusual in our cities, is attracting widespread attention because Minneapolis has been constantly pointed to as the model city by those who advocate the council form of government.

Such is the record for a single week of the system defended by the negative, and the instances that I have given are only a few of the thousands of known cases of corruption, and there are doubtless thousands that have not been discovered. The gentleman has referred to Springfield as a well governed city. Does he not know that the mayor in his last message condemned Springfield's system of committee government, and said that economy of administration could not be secured under it?

Nor do these facts indicate the full extent of the evils in our city affairs. In addition to the amounts taken directly from the city, far greater sums are annually raised by assessments on employees, saloons, gambling houses, large corporations and business concerns. It is estimated that \$3,000,000 are thus raised annually in the city of New York. Many of these facts were revealed by the Lexow investigating committee, and what has been proven of conditions in New York is known to exist in almost every city in the country in one form or another. In Chicago, for example, by taking bribes for low assessments it is known that each assessor derives as large an income from his position as the salary of the president of the United States. The money raised by these blackmailing schemes keeps the ward heeler in line, enables the boss to rule our cities, and elects corrupt men to the council.

My time is too limited to permit the mention of more specific cases of corruption, but the instances I have mentioned are typical. Surely the gentlemen will not longer attempt to maintain that we have no cause for action, that the condition of our city governments does not warrant a change.

This deplorable condition of our cities my colleague has shown you is due to the failure to separate legislative and ex-

ecutive functions and to the division of executive and administrative powers among numerous independent boards, committees and individuals. It is evident that some change must be made in the form of government of our cities. The plan we advocate brings system out of this chaos. It separates the legislative and executive departments and confines each within its clearly defined sphere. It abolishes the numerous administrative and executive boards and places all the executive power in an executive department, which consists of the mayor and the heads of departments, who are appointed by him and responsible to him. Under these heads of departments are the great body of subordinates all of whom are appointed in accordance with civil service rules and responsible to the head of their respective department. This plan gives each officer his work to do and for which he alone is responsible. The work of each department is clearly defined. The mayor is made the controlling and responsible head of the whole administration. He can call to account any careless or corrupt official and the people will hold the mayor personally responsible if he fails to correct any abuses in the government of the city.

Our cities are concerned to a much greater degree than our national and state governments with business questions. The functions of the executive department are purely those of business. The erection of buildings, the cleaning and paving of streets, the disposal of sewage, the management of water and lighting plants, the making of contracts, all are questions of business, and to be managed successfully must be conducted in accordance with the principles that are essential to the successful management of any private enterprise.

The problems arising from the rapid growth of our urban population as well as the constant tendency to extend the sphere of municipal activity by assuming the ownership and control of natural monopolies, make the application of business principles to the management of the business affairs of our cities an absolute necessity.

The first essential for the successful management of **any** corporation, public or private, is a strong, efficient, and **re-**sponsible head, who has the power to carry out a continuous and consistent policy. This is especially true where **the** business is so varied and complicated as is that of our modern cities. One president is better than three receivers, one capable and responsible head better than any committee of the council. With the heads of departments that are independent or only responsible to the council, which like all bodies composed of many members, must be vacillating and hesitating, there can be no common purpose, no continuous policy, no unity of administration. For these are qualities which can only be secured when as under our system there is a single executive head, with full power to act under strict responsibility. How long would a private corporation keep from bankruptcy if its business was parcelled out to committees of the stockholders, each independent of the other and with no common policy and no responsible head? Yet this is the condition of affairs which must exist in our cities as long as executive and administrative powers are parcelled out among numerous independent boards and committees. A policy more certain to bring about extravagance and mis-government in city affairs could not be devised.

As has been shown our plan strikes at the very root of the abuses in city government, by separating legislative and executive functions and by fixing responsibility. To the council we give all legislative powers, to the executive all the administrative and executive work. The executive department has absolute charge of the construction of improvements, the management of city property and the making of contracts. There are, however, certain quasi-contracts like the granting of licenses and franchises which involve questions of public policy and should be submitted to the council, in order that the executive department shall not encroach upon the functions of that body.

One of the disastrous results of the system of government

under which most of our cities are suffering is that so few offices are filled by the better class of citizens.

The average alderman is a man of low moral character, little education and no business training. The members of the executive boards and commissions are but little better. It is the opinion of boards of trade and civic organizations with whom we have corresponded that from 50 to 75 per cent. of the alderman in cities coming within the limits of this debate are unfit for office. Yet many of the gravest problems that confront the American people are connected with our cities. The reason why to-day they do not secure able men as officers is that there is little in city office to attract good men, for they find themselves handicapped at every turn by the complicated system of divided powers and responsibility. On the other hand this system attracts venal and inefficient men by offering every opportunity to conceal mismanagement and corruption. To secure efficient city officials the system of city government must be so changed that city offices will be such positions of power and honor, that they will not only offer opportunity for men of ability to exercise their talents but that they will appeal to all that is best in such men. Wherever these changes have been effected there has been a most marked improvement in the character of the city officials. When Brooklyn adopted our system, Pres. Seth Low was glad to accept the office of mayor of that city. When New York made the offices of police and of street cleaning commissioners places of power and responsibility, Theodore Roosevelt resigned his position as member of the national civil service commission to become police commissioner, and the city secured Col. Waring, the foremost sanitary engineer in America, for street cleaning commissioner. Thus when our system is in general operation it will be that everywhere men of character and ability will find in city offices a field for the exercise of their talents and the very best men will seek these positions.

The fact that the mayor's office is made one of great im-

portance is not the only assurance that we will secure efficient mayors. The people, knowing that the success of the city administration will depend on securing an honest and able man for mayor, will take greater interest in elections and devote more attention to city affairs. At the present time the responsibility for the city administration is distributed among a large number of offices and it is utterly impossible for the voters to inform themselves of the character and records of the numerous, comparatively obscure candidates for these positions. Moreover, the power of the ballot is so diffused that no thorough and permanent reform can be obtained. It is therefore no wonder that interest in municipal elections has been constantly decreasing until now in many of our cities from 25 to 40 per cent. of the voters fail to vote. And it is well known that the voters who stay away from the polls are the better class of our people. This condition alone would justify a change. The adoption of our plan which concentrates the interest of the voters on the choice of one man and enables the people to accomplish their purpose at a single election, has been followed in every instance by increased interest in city primaries and elections. The results are strikingly shown by these charts.

The line in each chart shows the time our plan was adopted. The number of votes cast for mayor is shown and compared with the population and the vote cast for governor wherever reliable figures can be obtained. In each case showing that under our plan the votes cast for mayor increased much faster than either the population or the vote for governor. The comparison with the vote cast for president is not given for that but illustrates in a greater degree, the principle of the federal plan that where interest is centered in the election of one man more people do their duty at the polls.

CHART NO. 2—FORT WAYNE.

	Population.	Vote for Mayor.	No. of persons represented by a vote.
1890	35,393	6,247	6.9
1892	37,780	5,451	
1894	45,679	8,546	5.4
1896	48,750	8,977	

1892-1896.—Increase in population 29 per cent.

1892-1896.—Increase in votes for mayor 64 per cent.

In Fort Wayne prior to the adoption of our plan each vote represented 6.9 people now each vote represents only 5.4 or in other words while the population has increased 29 per cent. the number of votes cast for mayor has increased 64 per cent.

CHART NO. 3—INDIANAPOLIS.

	Population.	Vote for Mayor.	No. of persons represented by a vote.
1887	97,332	20,700	5.7
1889	119,346	20,873	
1891	133,020	22,568	4.7
1893	144,000	28,715	
1895	149,355	31,751	

1889-1895.—Increase in population 25 per cent.

1889-1895.—Increase in votes for mayor 52 per cent.

In Indianapolis the same improvement is shown, the number of people represented by each vote has decreased from 5.7 to 4.7. This city now showing the greatest proportion of actual voters to the population of any city in the country. While the population has increased 25 per cent. since the change in the form of government the votes cast for mayor have increased more than 50 per cent.

CHART NO. 4.—CLEVELAND.

	Population.	Governor Vote.	Mayor Vote.	No. of persons represented by a vote.
1887	239,229	30,397	25,298	8.3
1889	261,708	39,345	31,333	
1891	299,475	48,429	34,190	7.6
1893	322,932	44,122	37,767	
1895	352,629	43,712	45,909	

1889-1895.—Increase in population, 34 per cent.

1889-1895.—Increase in votes for governor, 8 per cent.

1889-1895.—Increase in votes for mayor, 43 per cent.

The same improvement is shown in Cleveland. The number of persons represented by each vote the last year under the old system was 8.3, in 1895 the number was but 7.6. From 1889 to 1895 the population increased 34 per cent., and while the vote for governor only increased 8 per cent., the vote for mayor increased 43 per cent.

CHART NO. 5.—BROOKLYN

	Governor Vote.	Mayor Vote.
1881.....	.....	86,895
1882.....	86,721	.....
1883.....	.....	98,562
1885.....	100,302	100,560
1887.....	.....	118,450
1888.....	116,328	.....
1889.....	.....	124,951
1891.....	147,920	146,304
1893.....	.....	166,717
1894.....	162,897	.....
1895.....	.....	170,992

1880-1890.—Increase in population, 42 per cent.

1881-1891.—Increase in vote for mayor, 68 per cent.

1881-1895.—Increase in vote for mayor, 95 per cent.

In Brooklyn the vote cast for mayor at the last election exceeded the highest vote ever cast for governor by more than 8,000 votes. We have not been able to secure the population for each year, but while the population increased 42 per cent. between 1880-1890 the vote for mayor between 1881 and 1891 increased 68 per cent. or 95 per cent. between 1881 and 1895.

CHART NO. 6—PHILADELPHIA.

	Governor Vote.	Mayor Vote.
1872.....	118,119	.....
1873.....	.....	94,237
1875.....	113,889	109,261
1877.....	.....	121,413
1878.....	127,219	.....
1881.....	.....	150,643
1882.....	146,950	.....
1884.....	.....	149,669
1886.....	153,955	.....
1887.....	.....	152,663
1890.....	191,952	.....
1891.....	.....	179,628
1894.....	192,464	.....
1895.....	.....	214,742

1886-1894—Increase in vote for governor 25 per cent.

1887-1895—Increase in vote for mayor 39 per cent.

Likewise in Philadelphia the vote cast for mayor at the last election exceeded the largest vote ever cast for governor by more than 22,000 votes, and while the vote cast for governor increased 25 per cent. between 1886 and 1894, the vote for mayor between 1887 and 1895, an equal period, increased more than 39 per cent.

CHART NO. 7.—BOSTON.

Total number of votes cast.

	Nov. Election for Governor.	Dec. Election for Mayor.	Larger number of Votes for
1875....	27,380	27,116	Gov.
1876....	43,795	30,663	Gov.
1877....	34,213	47,988	Mayor.
1878....	47,890	38,141	Gov.
1879....	43,437	35,555	Gov.
1880....	53,396	41,654	Gov.
1881....	29,219	40,170	Mayor.
1882....	47,734	41,288	Gov.
1883....	58,443	53,444	Gov.
1884....	58,748	51,662	Gov.

1885....	41,683	44,682	Mayor.
1886....	45,467	45,667	Mayor.
1887....	49,423	51,820	Mayor.
1888....	64,923 R. and Pr. year	63,548	Gov.
1889....	52,478 R.	56,877	Mayor.
1890....	54,088 R.	54,254	Mayor.
1891....	60,986 R.	55,018	Gov.
1892....	73,616 R. and Pr. year	66,667	Gov.
1893....	70,715 R.	68,228	Gov.
1894....	66,214 R.	68,588	Mayor.
1895....	66,916	76,721	Mayor.

Number of persons represented by one vote:

1885—8.7 1880—1885—8.7

1895—6.4 1890—1895—7.2

Turning now to the chart on Boston where the elections for governor are held in November and the municipal elections are held one month later and where on this account you would expect to find a small vote cast for municipal officers we see that while during the ten years prior to the adoption of our plan the vote for governor exceeded the vote for mayor in all but two years, that in the eleven years since the conditions have been reversed and the mayor's vote has exceeded the vote for governor in all but four years, two of these being years in which presidential election took place and all occurring during the years when Wm. E. Russell, the idol of the people of Massachusetts, as candidate for governor, was asking for their votes. Moreover since the adoption of our plan the number of people represented by each vote has been reduced from 8.7 in 1885 to 6.4 in 1895, or taking five year periods 1880 to 1885 and 1890 to 1895 the reduction has been from 8.7 to 7.2 showing a remarkable increase of interest in city elections.

Students of municipal government everywhere are united in declaring that the first essential to a reform of city government is a more active interest of the people in city elections. They declare that if the people will only attend the primaries and elections the problem of city government will be solved. These charts show that, without exception, wherever our plan

has been adopted the tendency to neglect municipal affairs has not only been stayed but that an ever increasing number of people now attend the primaries and the polls, thus insuring a higher grade of officials and better municipal government.

Still another reason why our plan secures better men is that the incentive for corrupt men to seek office is removed. Responsibility for every act is fixed and the detection and punishment of the careless or criminal exercise of official powers is made certain. Under such conditions a public position has no attractions for men whose only object in seeking office is to dishonestly enrich themselves. Any man, when responsibility is fastened upon him, fears public criticism and respects public opinion. Thus we see that by making it unprofitable for corrupt men to seek office, by increasing the interest of the people in city affairs, and by making the office of mayor a position of honor and responsibility, we insure the election of able men of character as mayors.

The negative will argue that our system will allow the mayor to build up a political machine. No political machine can be established without having a large number of offices at the disposal of the boss. Our plan by placing all the subordinate positions under strict civil service rules, making ability and experience the criterion for office, removes the very basis upon which a political machine is built. Ward heelers and politicians have no interest in a man who cannot reward them. The seven or eight offices at the disposal of the mayor would be a source of weakness rather than of strength if he should attempt to build up a machine; for the number of enemies made by these appointments would be far greater than the number of friends gained. Moreover, under our plan the mayor is held directly responsible and it is to his personal interest to administer the government efficiently and economically thereby securing the good will of the public. Any attempt to abuse the powers of his official position will surely bring upon him the condemnation of the people. The ex-

perience of those cities that have adopted the principles of our plan but which do not choose their subordinates under civil service rules, shows that even in those cities, every attempt of the mayor to maintain himself in office through the power of a political machine has met with disastrous defeat. By placing subordinates under civil service rules and by fixing responsibility for the administration directly on the mayor, the plan we advocate, eliminates all danger of a political machine.

I have shown how under our plan by increasing the powers of the mayor we obtain men of good character and ability for that position. Good mayors will secure able heads of departments. Under the present system, where many officers are elected, the tickets are made up by compromises between the different factions and classes. Under these conditions, says Judge Story: "The nominations have little to do with the fitness of the candidates."

When the appointments are made by the mayor and confirmed by the council the result is no better, for all responsibility for the character of the men appointed is destroyed. The aldermen say they confirmed the best man the mayor would appoint, the mayor replies that he appointed the best man the council would confirm. In nearly every city the aldermen have abused the power of confirmation. They have crippled the executive force for months by refusing to confirm the mayor's appointments and have often compelled the appointment of men totally unfit for office. Under our system the mayor cannot escape the responsibility for the character of his appointees. Moreover it is to the mayor's personal advantage to appoint able and experienced men; for the success of his administration depends, in large measure, upon the character of his appointments. Heads of departments are places of importance and honor and their salaries are sufficient to attract men of ability. Men of good business reputation will accept a position from the mayor when they would refuse to run the risk of being rejected by the council,

or defeated at the polls. By giving the mayor the absolute power of appointment and removal we secure the best possible men for heads of departments, harmony between the departments and unity of administration.

Our plan provides all necessary safeguards to protect the city. The executive department can not expend any money nor make a single contract until an appropriation is made by the council. The council can raise money and direct its expenditure, but can not pay out a single cent. The treasurer and comptroller who have charge of the city funds are wholly independent of the mayor. These officers, though not controlled by the mayor, can not in any way obstruct the administration of the city affairs, but their independence enables them to prevent the squandering of the public money by preventing the falsification of the accounts.

This, gentlemen, is the business-like organization of the business departments of the city government for which we ask your approval to-night.

Under our system the common council may or may not be organized as it is to-day. In this discussion we are not concerned with the legislative functions of the city; for the question expressly limits the range of our inquiry to the proper disposal of the administrative and executive functions. But in closing let me call your attention to the fact that one of the first results of relieving the council of the executive work with its mass of details, is an improvement in the character of the council and of the manner in which it performs its duties. The time required of an alderman is greatly shortened, and busy men can serve in the council. As I have already shown the opportunity for corruption is taken away. Relieved of the stigma now attached to the word "alderman," better men will enter the council. The council having only important legislative questions to decide, is able to consider each matter carefully and perform its duties more efficiently. Being deprived of the power to spend money, and at the same time being held responsible by the people for the rate of taxation, the council naturally becomes a conservative part

of the city government. Our plan, therefore, not only improves the executive department, but likewise the legislative department of the city.

Gentlemen of the Jury: I have presented the theory upon which the federal plan of city government is based. Its two main characteristics are that it separates the functions of government and fixes responsibility for every act. In place of the present heterogeneous, chaotic and unbusinesslike systems, which have made our city governments a disgrace to the country, we have presented a system characterized by simplicity, harmony and unity; a system adapted to our American conditions and modeled after our national government. This system by giving the mayor full control of the executive department makes the position one of power and dignity, attractive to our best men. The people know that the administration depends upon the character of the mayor and being able to use their power directly and efficiently are aroused to greater interest in city affairs and city elections. This insures the selection of prominent, able and honest men as mayors. The mayor knowing that he is held responsible for the administration; that his reputation will largely depend upon the character of his appointees, will be careful to choose only able and experienced men as heads of departments. Our plan therefore insures honest and efficient mayors, capable heads of departments, trained and experienced subordinates, thus securing the highest degree of administrative efficiency. In short, our system intensifies interest in city affairs, secures good officials, gives them power to act and fixes responsibility.

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GEO. B. NELSON, PHILOMATHIA

The gentlemen of the affirmative have repeatedly asserted that a city is simply a large business corporation. Upon this assumption, they would introduce their system, claiming the while that the system which they propose is an exact model of a business corporation. Now, gentlemen, attractive as is such a comparison it is nevertheless a great and popular fallacy. In the first place a city is not a business corporation but a body politic. The many court decisions affirm the truth of this statement. In the second place the functions, aims, and objects of a city differ widely from those of a business corporation. The one exists to provide for the health, safety, comfort, education and pleasure of its people, while the other exists primarily to declare as large dividends as possible for its stockholders. The one exists to spend money the other to make money.

But even granting that a city is a business corporation, the system proposed by the affirmative does not give us a system whose practical workings are analogous to those of a business corporation. Instead of being elected by the whole mass of the people, in the heat of a campaign, the head of a business corporation is chosen by interested and enlightened stockholders in the quiet of a committee room. Instead of being elected for a short term of years, the president of a business corporation holds his position for life, while his heads of departments hold their positions because of special merit and never because they are friends or political supporters of the president. Instead of owing allegiance to any ring or political party, the head of a corporation is directly responsible to a board of directors. If the affirmative demand a business organization, they must return to a strong council, and have the mayor chosen by this council. It is no wonder the affirmative's unbusinesslike system has not given good results.

The gentlemen further claim that both charter commissions, which were appointed by the governor of the state of New York, to formulate general charters for the second and third class cities, have reported in favor of concentrated systems. This is true, but gentlemen they have not brought forth a single statement from any of these commissioners, to show that they favored the system proposed here to-night. On the other hand we of the negative have corresponded with several of these commissioners and have received replies which justify our position here to-night. Hon. Robert Earl, chairman of the commission for second class cities, writes of the affirmative's scheme—"It is too broad. All executive and administrative power should not be concentrated in the mayor." Arthur L. Andrews, another member of this same commission, writes: * * * "In my humble judgment, the affirmative of the question and interpretation is not the best system for any city. * * * I think there are grave dangers attending the increase of power of a mayor, and I think there is a reaction of sentiment among municipal reformers on this question."

From members on the third class commission we have received similar replies. F. W. Holls, of New York city, in answer to the question—Is the affirmative the best permanent system for cities, writes: "Decidedly no!"

Hannibal Smith, a second member, upholds our general position when he says: "The proposition in your letter grants too great powers to the mayor."

Gentlemen, can our opponents still claim that these commissioners unanimously advocate their system?

In spite of the numerous self-evident causes of poor city government which my colleague cited, in spite of the fact that many cities enjoy good government under charters which are entirely different, the affirmative still maintain that charter is all-important in municipal government. But, gentlemen, even granting for the moment that they have shown municipal government in the United States unsatisfactory,

and that the charter is the cause of poor city government, even then, they have but taken the first step in the proof of their proposition. They must yet show that a system of extreme concentration is the remedy.

They ask you to-night to adopt a system which rests fundamentally upon two great assumptions—first, that our councils are to-day hopelessly corrupt, incapable of improvement; and, second, that under existing moral and political conditions the people of our large municipalities will always elect an honest and capable mayor. The weakness and inconsistency of any argument based upon such assumptions must be at once apparent. Because both mayor and council are the product of the same conditions, both are elected by the same electors, and both are responsible to the same constituency. Could they prove that under present conditions the people would invariably elect an honest and capable mayor, they would overcome the first great obstacle to the adoption of their system.

But the election of a capable mayor would be most difficult. It would be almost impossible to find a man who could rigidly enforce the laws, efficiently supervise the various departments, examine the terms of all contracts, and could then have sufficient time to consider private rights and public needs in the granting of franchises and the making of innumerable estimates. I say, to find such a man would be indeed most difficult, if not impossible. Says Dr. Ely: "The successful mayor under such a system must understand administration, finance, sanitation, education, etc., etc., in order to properly guide the different branches of municipal government, and this kind of a mayor will rarely be found."

But granted that there are men capable of efficiently exercising all these powers, will such men really be recognizable among the vast throng of office seekers? Will they accept the position? If so, will they be nominated and elected? Experience with such a system answers No! In the first place, honorable jurors, our ablest and best men are not to-

day available for positions in city governments, exposed to hostile partisan criticism, uncertain as to election and still more uncertain as to tenure of office; lured by the equally honorable and much more lucrative positions in the great corporations, the able man, the man of great executive capacity, is reluctant to have his name go before a political convention. But the affirmative say that this system of great powers and responsibilities will attract the superior men. I answer that such powers will likewise attract political bosses. They will move heaven and earth to control such positions, for the control of them means the control of the city government.

Writes Edmund Kelly, an active reformer of New York city: "The plan proposed is one grateful to politicians, because under this plan, all the machine has to do is to concentrate its energies upon the election of mayor—a thing which it does with uniform success, except under conditions of unusual excitement." But, gentlemen, this prize would be sought not only by machine politicians, but the saloon power would make every endeavor to elect a man obedient to its will. Worthy jurors, you must concede that the election of a poor mayor is possible, nay, extremely probable. Unorganized for municipal welfare, divided along partisan lines, good citizens in the heat of a campaign may easily make a mistake, and such mistakes have been unfortunately too common in practice. But the success of this system depends upon the election of a good man. For although several mistakes may be made in the election of aldermen and the control of the council still be left in good hands, yet one mistake in the selection of the mayor is fatal to the mayor government.

But, gentlemen, grant that a well meaning man is elected mayor. What happens? No sooner is he inaugurated than he is literally besieged by office seekers, by contract and franchise jobbers. Not only this, he is visited by the local boss and party managers, who demand the adoption of certain policies or certain measures for the party good. True, the mayor can resist if he will. But to quote the words of Her-

bert Welch, in a personal interview: "The pressure brought to bear upon an honest and well meaning man is simply enormous and very few are strong enough to withstand the demands of the boss." Such was the case with mayors Whitney, Chapin and Boody in Brooklyn—all under the affirmative system. Gentlemen, if the mayor is a politician he will surely not resist, because he has been elected by a certain party, and to disregard the demands of that party is to be ungrateful to those who elected him. If he is weak or incapable he will soon be dominated by the boss, and the worst type of city government will follow.

Such a system is not government. It is dictatorship in municipal affairs. It is a system which makes a clean sweep for good government possible, but gives no assurance of its continuance, nor does it prevent an entire overthrow of settled policies, nor a return to the worst of governments that moment the people fail to elect a faithful, honest and capable mayor. You can hold your mayor responsible and dismiss a bad mayor at the end of his term of office, but you have not solved the problem of good government, until you have made certain, that his successor will not possess the same qualities that caused his dismissal.

But though the election of a good mayor is assured, this system even then, has an inherent weakness—successive administrations are not continuous, but revolutionary. Not only is the mayor changed frequently, but with him the entire corps of heads of departments. This has been the invariable rule in Cleveland, Philadelphia and also in Brooklyn, except during the period when that city was dominated by the famous Whitney, Chapin, Boody regime. Under this system no continuity of policy is possible, and waste, inefficiency and extravagance must result from such a practice.

But, worthy jurors, the important question is—how has such a system worked in practice? Brooklyn's experience gives ample evidence to support every charge we have made, against this system. In 1881 the people of Brooklyn elected

their first mayor under the new charter. They fortunately struck upon Mr. Low—an ideal man for the position—educated and intelligent, strong in character, firm of purpose, he gave to the people of Brooklyn a clean administration. But he was not appreciated and was barely elected for a second term. At the end of his term of office, concentration was pronounced a success, but the people did not stop to think that it was Mr. Low, and not the new city charter that made the city government. They did not stop to think that they could not elect a Low every time.

Mr. Whitney, the successor of Mr. Low, in his letter accepting the nomination, sneered at the principles of civil service reform, and thus at once conclusively proved his unfitness for the position. Unheard of as a candidate, he came forth as boss McLaughlin's nominee and was elected. Said E. L. Godkin shortly after his election: "The dummy was elected and his administration is already justifying the machine's confidence in him." All the heads of departments who had been so wisely selected by Mr. Low were replaced by men noted more for partisan activity than for business qualifications. The civil service rules were evaded and corruption was everywhere rampant. "In short," says E. L. Godkin, "the object of the new administration in Brooklyn is to break down so far as possible, the system of conducting municipal affairs upon business principles." Finally the people demanded an investigation and the famous Bacon legislative investigation followed. Senator Bacon himself calls Brooklyn "the paradise of gamblers and the home of the saloon." This investigation revealed much corruption and condemned Mayor Whitney in these words: "It is impossible to exonerate Mayor Whitney from a personal responsibility for these abuses." The administration of Whitney went down in disgrace, under legislative condemnation and grand jury presentments. Thus was given the first great blow to concentration. Poor government was not only possible, but it was evident that the change from good to bad government was rapid and complete.

But so thoroughly had the party intrenched itself that at the next election boss McLaughlin's candidate—Mr. Chapin—was elected. It was too evident that lovers of good government could hope for but little from this man. He retained the worst elements of Whitney's administration. Says the editor of the *New York Tribune*, "Chapin has swallowed his pledges to the city and meekly and submissively takes his orders from McLaughlin." Although this continued throughout his administration, he was nevertheless elected for a second term. The government now went from bad to worse. Heavy expenditures continued, needless public works were undertaken and finally the corruption culminated in the famous water works scandal by which the city of Brooklyn would have been defrauded of over a million dollars had not the schemers been stopped by injunction.

This attempted steal did not prevent boss McLaughlin from electing Mayor Boody under the pretense of putting in a reform man. Mayor Boody was a man of education, of eloquence and pecuniary competence. Not only this, he was for years a reformer, condemning the boss and the politics of spoils, but he too, was from the first, the willing tool of the bosses, and he gave modern Brooklyn the worst government in its history. When he was inaugurated the people demanded a clean sweep, yet he retained nearly every one of Chapin's heads of departments, thus maintaining the same old type of corrupt city government. Says Edward M. Shepherd, in '93: "It is not too much to say that the reputation for evil brought upon Brooklyn by the last two years of Mr. Chapin's mayoralty, and that of Mr. Boody, has seriously diminished the attractiveness of the city for residence or business in the opinion of its own citizens and still more of strangers." Gentlemen, when Mr. Boody was elected mayor he had every possible motive to give a business administration, but he failed miserably. Even Edward M. Shepherd, an adverse authority, says: "Mr. Boody himself hardly tries to conceal that his will has been completely effaced by that

of boss McLaughlin, that he is no longer a free agent, but is a mere agent or attorney of the boss." Such is the record of four successive administrations—eight years of continuous decline under the system of the affirmative.

Finally, in 1893, inspired by the work of Dr. Parkhurst, the people of Brooklyn rose in their might and elected Mayor Schieren—a man who gave Brooklyn a fairly good administration. Yet he was able to do this only with great difficulty, for the city had been under control of corrupt men so long. Says A. R. Conkling—a writer on municipal government—"The political revolution in Brooklyn in 1893, has disclosed an alarming condition of municipal affairs." The commissioner of city works found fifty sinecures in his department which he abolished at a saving to the city of \$50,000, while the park commissioner found seventy-five idlers in that department. Says Mayor Schieren himself, in August, '94: "We found the city's financial condition embarrassing as there were outstanding contracts, certified and uncertified, for several millions of dollars, which we had to recognize."

Even following this civic awakening Brooklyn does not enjoy good government to-day. Says C. A. Haviland, a prominent lawyer of Brooklyn: "The present administration is condemned on every hand. Extravagance and recklessness and catering to corporate influence now dominates in Brooklyn." The civil service commission has had constant trouble with the present mayor. Many temporary appointments have been made, new offices created and all schemes adopted to evade the civil service rules. So flagrantly has he abused these rules that Mayor Wurster has actually been brought before the courts. Says Editor McAneny, secretary of the National Civil Service Reform League: "Ultimately Mr. Wurster will be compelled by the courts and by public opinion to obey the law and the constitution. Meanwhile he is strengthening the growing conviction that he will not hesitate to use his high office to advance his political fortunes, and that in trusting to his promises of a business administration, a large

number of people who voted for him were sadly fooled." Gentlemen, without well enforced civil service rules this system is the worst form of a political machine, and it seems thus far that civil service rules applied under such a system have generally failed to accomplish their purpose. This is the experience of Brooklyn.

I now wish to quote from a few prominent authorities, capable judges of municipal government, who have had every opportunity to observe the workings of the affirmative system in Brooklyn and New York. James C. Carter—president of the American Municipal Reform Associations, and a prominent lawyer of New York city—writes: "I do not believe in concentrating in the office of mayor the unlimited power of appointment and removal of heads of departments." Writes Simon Sterne—a recognized authority on city government—"The system of practically abolishing the legislative power and influence of local common councils and concentrating the power in the hands of the mayor of the city of New York has on the whole disappointed the advocates of the concentration of municipal authority in the hands of one official." C. A. Haviland—a leading lawyer of Brooklyn, writes: "It has become a serious question as to whether in trusting supreme control to the mayor is wise." William M. Ivins, an active reformer and a member of a charter commission of '77, writes: "I am very heartily opposed to the system of concentrated executive and administrative power in the mayor. My own experience has been that it does not work well." Edmund Kelly, a prominent member of the City Club of New York city, writes: "I have no hesitation in saying that the experience of New York and Brooklyn demonstrates that the system proposed is a thoroughly bad one." Frank J. Goodnow, of Columbia College, professor of administrative law, and an unimpeachable authority on municipal government, writes: "I do not think that the history of Brooklyn under the new charter that was adopted in 1888, and which vests so much power in the mayor, would show that better municipal

government can be expected under it, than under a scheme which recognizes greater powers as existing in the council. Certainly since 1888 the government (in Brooklyn) has been oftener bad than good." Lastly, the greatest practical reformer of the 19th century, Dr. Charles H. Parkhurst, writes us: "I do not believe that it is wise that all executive and administrative power in municipal power should be concentrated in the mayor." Worthy jurors, can the affirmative in the light of these facts and contrary to these authorities ask you to adopt their system of municipal government?

Generalizing from insufficient data, they ask you to adopt a system which strips the council of its most important powers, which leaves it indeed with little positive power for good, while capable of doing much harm. They can urge this step for one reason only, that these powers have been abused by our councils. Now worthy jurors, that certain councils have abused their powers, we admit, but gentlemen, I ask you is their position a logical one? There is not a single power possessed by the mayor which has not been as often abused as any power possessed by any American council. In this light there can be no just reason why the mayor should be made a dictator, or why this war measure should be adopted. Not recognizing the true solution of the problem, the election of better councilmen, the friends of this new scheme jump to the conclusion that these powers should be lodged with the mayor. It needs no study to see what effect this change must have upon the councils. There can be but one result—a speedy deterioration in the character of our councilmen. Stripped of administrative as well as important legislative powers, the position of councilman loses its dignity and will be relegated to the lowest elements of our population. Prof. Leo S. Rowe of the University of Pennsylvania, in a personal interview says: "I believe that every one must concede that if we strip the council of its powers the character of its members must deteriorate." James W. Pryor, secretary of the City Club of New York, says in a personal interview: "I

have every reason to think that the adoption of such a system would lead to a further decline in the councils. I certainly believe that true municipal reform must tend in an opposite direction." Examine the New York council as it was before the first concentrated charter was adopted—a body possessing most serious powers and performing most important functions, while the office itself was held in credit and esteem. Examine it as it is to-day—a mere historical survival. Worthy jurors, from the day that Boss Tweed put his concentrated charter through the legislature the council has steadily declined. This same decline is apparent in Brooklyn. Says Hon. St. Clair McKelway, editor-in-chief of the Brooklyn *Daily Eagle*: "By concentrating all notice on the mayoralty the republicans generally name a poor lot of aldermen." Regarding the condition in Boston, Sam'l B. Capen, president of the Boston Municipal League, writes: "We are well aware that our council under our present city charter has much less power than in former years, and this is the reason why so many of our best citizens now refuse to allow their names to be considered in connection with it."

Gentlemen, it was in 1887 that the concentrated charter of Philadelphia was adopted. From a municipal report published in 1895 we note this quotation: "It is since 1887 that the decline in the tone and spirit of councils has been most marked."

It seems self evident that the adoption of this scheme closes the way for improvement in the character of our councils. Now what does this mean? It means just that which has become too evident in Philadelphia, New York and Brooklyn, that as long as the councils are retained, permanent improvement in the city government cannot be hoped for without improving them. It means just what all students of municipal government fully realize, that permanent reform can never come by degrading the council, reformation is a process of elevation, not of degradation. Hence, to reform a council by degrading its functions is clearly an inconsistent, an illogical, a vicious effort.

It is admitted by all reformers that with better councils almost any kind of a charter will work well. Without them the best charter in the world will not improve city government. But gentlemen, the council can never be raised in standard by robbing it of those attractions which make it inviting to the man ambitious to serve his city honestly. I repeat, a strong council cannot long exist under a concentrated system.

Now, worthy jurors, if we can improve the councils by removing the fundamental causes of poor city government, why take these powers from them? Why introduce a temporary, spasmodic scheme which does not strike at the real root of the evil, but makes our councils worse instead of better? If the affirmative assume that we cannot elect better councils, why do they still leave the councils certain joint powers with the mayor? To show their system logical, it devolves upon them to improve the council, else we must conclude that even with a perfect mayor, municipal government under their system would be a continuous jangle. If one man power means good municipal government, why do not the affirmative give to the mayor these few remaining powers rather than leave them only to hamper him?

Already a reaction has set in against this novel scheme, for the simple reason that its advocates have witnessed too many cases where it would have been a grand blessing to have had a mayor restricted by a good council. Because they know that a poor mayor in league with a bad council makes poor city government; because they know that a good council cannot exist under such a system, and that one man, however good he may be while hampered with a poor council cannot alone make good city government.

Not only this, but this system is not representative. In the words of Charles Francis Adams: "Such a system is nothing but a municipal Cæsarism. The remedy will not be found by working in that direction, for America is essentially republican, and a vigorous, healthy, representative body, is the essence of republicanism. Without that it cannot flourish.

If therefore, for any cause, the legislature is weak, it must be strengthened. If it is corrupt, it must be purified. It must be retained and it must be made powerful." One man can neither represent the different localities, nor the various interests, parties or factions of the community. Such a system is not the ultimate. It is a system which prevents publicity and discussion and renders an opposing faction impossible. It is a system which removes the government farther and farther from the people, and stands in strong contrast to the movements for proportional representation and the referendum in municipal affairs. Such a system is not the ideal. A system with a strong council, composed of men of character, possessing large powers, exercising a strong supervisory control over the departments, representing all sections and all classes, presents a government continuous, consistent, American.

The charter commission of 1877 faces the concentrated idea squarely in these words: "We have no confidence in such a system. It finds no support in the established principles of representative governments." In 1890, after eight years of experience with the concentrated system in Brooklyn, after several years of similar experience in New York city, the Fassett Senate Commission made a report comprising five large volumes, and it is by far the most complete of its kind. The commission meets the question of concentration in this strong statement. "We do not believe in making the mayor an autocrat, or in the recent tendency of legislation towards the abolition of government by council. *

* * For this is our American theory of government, and we do not believe the time has yet come to abandon it."

OTTO BOSSHARD; ATHENÆ

The negative have admitted the existence of great evils in American municipal government. They therefore concede our cause for action. On this point, then, we meet them on an equal footing. The only difference in the two sides in this debate lies in the remedies proposed for the evils. The negative have proposed merely superficial remedies. They have argued that a stricter enforcement of our naturalization and election laws and the adoption of civil service rules in all cities is practically sufficient to cure the evils. These reforms are beneficial we admit, but they are inadequate. They do not strike at the root of the evil. Civil service rules will merely do away with minor abuses of city government, such as loose book-keeping or careless auditing. These are not the vital defects of our present system. The great evils, as my colleagues have shown, are complicated machinery, the consolidation of legislative and executive functions in one body and the division of responsibility. Civil service rules will not remedy these evils. Municipal corruption, extravagance and inefficiency will continue so long as our cities operate under a system of divided responsibility and complex mechanism. Our system provides for civil service. It does all that the system of the negative does. But it goes further. It strikes at the root of present evils. It simplifies the machinery of government, separates the legislative and executive functions and locates responsibility. Civil service and like schemes of reform fail to do this.

The gentlemen have selected several cities at random, each operating under the council system and have shown that at present and in years past these cities have enjoyed exceptionally good government. They have also shown that in some particulars the administration of those cities operating under our system, has been less commendable than that of the cities

which they cited,—in this way endeavoring to establish the superiority of the present system over the system we advocate here to-night. Such a comparison, gentlemen, amounts to absolutely nothing in this discussion. Difference of location, of social or of economic conditions, might of themselves sufficiently explain any advantageous showing in favor of one city or another. But aside from this, we maintain that the only just and proper method of judging the merits of our system of municipal government is to take any city which has adopted it and compare that city's condition for the same number of years before and after its adoption of our system. If by such a comparison, the administration and general condition of that city since the adoption of the new charter has been shown to be worse than prior to its adoption, then, gentlemen, you are justified in condemning that system. But if on the other hand, as I will endeavor to prove in the course of my debate the general administration of the city has undergone a marked improvement, I then claim that the federal system is preferable to the present council system.

They have also called attention to European council-governed cities. Again I need not remind you that such a comparison is worthless, for with European conditions so radically different from conditions in this country, I fail to see the bearing of such examples on this discussion. Indeed, the very fact that the gentlemen are obliged to go to Europe for successful instances of their system shows that in this country such instances are exceedingly rare.

It is charged that our system is nothing less than ‘Municipal Cæsarism.’ They endeavor to exaggerate the power that a mayor will wield under our system. We are creating no new functions of government. We are not investing the mayor with any powers that do not properly belong to him, neither are we depriving the council of any that it ought to exercise. We simply vest in the mayor and his appointees—the executive department of city government,—we vest in them all executive and administrative duties. We leave the

council full legislative powers. The one man power, which they claim is to be avoided, is nothing new in municipal government. We have it now under our council system. There is scarcely a city but what has its boss whose power is infinitely greater than that of a mayor's under our system. Not only that, but the boss is irresponsible for his acts, while responsibility is centered directly upon our mayor. Power without responsibility is dangerous, but power exercised under definite and fixed responsibility is not dangerous. It means good government.

They quote certain individual members of each of the Great New York Commissions as being opposed to our system. The gentlemen are correct in so far as they have gone. But the thing of importance in the matter is the majority report of these commissions. The majority report in every instance is in favor of the system we uphold here to-night.

They point to the city of New York as an example of the failure of our system. Yet Mayor Strong on page 12 of his message of January 7, 1896, says: "The actual administration of municipal affairs in this city is in the hands of commissioners and not in the hands of the mayor," in other words New York is governed by the commission system, a system of divided responsibility. Hence when they speak of corruption and inefficiency in the government of New York city, they simply condemn their own system.

Their whole argument against our system has been based on individual statements and broad generalization. They have adduced no specific facts to substantiate their arguments.

Thus far we have established two propositions. (1.) That existing municipal government, administered by the board and commission system, is exceedingly corrupt; that the abuse is universal and that no relief can be hoped for under the prevailing system. (2.) In answer to the crying demand for relief from these evils we have submitted a system which was conceived in reason and common sense and we have shown that its operation would be characterized by simplicity and efficiency.

But our system is neither new nor unique. It has been tried and proven eminently successful in cities formerly reeking with corruption and extravagance. Uniformly it has created order and purity in the city's affairs. The vicious classes in politics have desperately opposed it. Yet its essential features have triumphed in Brooklyn, Boston, Philadelphia, Cleveland, Indianapolis, Evansville, Fort Wayne and elsewhere.

Brooklyn was the pioneer city to adopt, in 1881, a reform charter identical in its essential features with the system we propose to-night. Prior to this, Brooklyn, equally with New York, had been preyed upon by the Tweed Ring, until wrote Governor Cornell: "The council is corrupt and irresponsible. Useless offices are created. Political bosses prey like vultures on exorbitant tax-levies. The mayor is helpless."

In 1882 after a bitter fight with the corrupt element the new charter was established. Says William DeWitt: "Our emancipation was magical." To-day Brooklyn's public works department is a recognized model; her streets are unexcelled; her fire and police departments are unequalled. Yet the economy of the new system has materially reduced the tax-rate, the average rate since 1881 being a decrease of 15 per cent. as compared with the average of the ten years preceding. The mayors have been uniformly capable men. They are jealously watched and the importance of the office is manifested by the fact that the vote for mayor often exceeds the city vote for governor. Previous to 1881 says Col. Morton, a member of the New York Constitutional Convention: "We could not fix responsibility for mismanagement. But to-day if wrongs are committed, the mayor must correct them or fall beneath the weapon of public suffrage." Mayor Boody was elected in 1891 by a majority of 7,500. Failing to remedy abuses he suffered, in 1893, a defeat by a majority of over 31,000. Yet this mayor was guilty of inactivity merely—nothing worse—there was no charge of corruption. But the greater efficiency of other mayors, like Low and Chapin,

has been rewarded by a second term of office, for the people under our system know where to locate responsibility for the city's government.

The second city was Boston, which, in 1885, adopted what is practically the federal system. Up to this time a vicious system of council committees and some forty-five independent boards, administered the affairs of the city. "Many of these boards," reported the Citizens' Association of that city in 1884, "have sunk to such a level of incompetence and corruption, that public opinion has compelled a reform."

The new charter brought about an increased public interest in city elections and a greater economy and efficiency of administration.

The average annual tax-rate for the ten years preceding the adoption of the new charter was \$13.03 per \$1,000 of assessed valuation. But in the ten years since that time the tax-rate has averaged only \$11.53, a reduction of over 11 per cent. in spite of the fact that the city's population has increased 28 per cent.; and in spite of the further fact that an immense system of public improvements was carried out, aggregating upwards of \$36,000,000 in value.

Philadelphia was the third city to adopt the federal system. Her new charter, called the Bullitt law, was adopted in 1887. Six years of continuous fighting by an organized committee of 100 citizens was necessary to defeat the ring opposition. The vilest crimes in municipal corruption had marked Philadelphia's previous history. In 1885 a monster memorial to the legislature of Pennsylvania read as follows: "The rate of taxation is excessively high, yet Philadelphia is recognized as the worst paved and filthiest city in the civilized world. The water is unwholesome and offensive—the sewers are nauseating. Our public buildings are wretched and not repaired." The memorial ends thus: "The real cause is not in poor men in office but it is to be found in the system of irresponsible government."

The new charter abolished the twenty-three irresponsible boards and substituted eight departments. The mayors have

since been uniformly strong men and are a restraint on corruption. Says John C. Bullit: "The minimum saving to our people is \$3,000,000 per annum, due primarily to the abolition of fifteen extravagant boards." This economy has enabled the city under the new charter to construct an ideal sewage system; to thoroughly pave her streets and perfect her fire and police departments and her general administration, at the same time paying off \$47,000,000 of the city debt, reducing it from \$62,000,000 in 1887 to \$15,000,000 in 1896, —and more remarkable still, her rate of taxation has not increased. Says Penrose in his history of Philadelphia: "Historians will date the beginning of scientific government in Philadelphia from the passage of the Bullit bill."

The fourth city to adopt the federal system was Cleveland. After struggling for a number of years with constantly increasing taxes, debts and corruption, the people rebelled and, in 1887, the Cleveland board of trade headed an agitation, which after a prolonged struggle with the infamous Cleveland boodle ring, gave them, in 1891, a new charter almost identical with that of Brooklyn. Previous to this says Judge Blandin: "There was discord and strife between the independent boards. A crushing burden of taxation was levied only to serve as a spoils fund. The city's most valuable franchises were the private stock in trade of vicious demagogues, and there was no remedy for the people were unable to fix responsibility." The maze of complicated boards and committees were organized into six distinct departments, all responsible to the mayor.

The first year under the new charter, 1891, showed a decrease in departmental expenses of over \$129,000, and this in face of the fact that 27 per cent. more paving, and 33 per cent. more sewers were laid in 1891 than in 1890. Says Comptroller Rositer: "The city saves by the new charter 20 per cent. on all its purchases; in the expenses of administration, \$26,000, and in discounts received by prompt payments, \$70,000." This, he adds; "would be impossible under the old board system." The city's funds are invested

at an average rate of 4.31 per cent., which formerly brought less than 2 per cent. This nets the city more than \$100,000 per annum.

The tax-rate still further shows the economy resulting from the new system. During the five years preceding the new charter the tax-rate rose 17 per cent. In the five years after it fell 11 per cent. Again, the total amount of taxes have increased only 17 per cent. while population has increased 34 per cent. Yet with 11 per cent. decreased burden of taxes, \$8,620,000 worth of permanent improvements have been added at an increase of only \$1,360,000 in the city debt, thus showing an actual saving to the city of \$7,200,000.

Writes the mayor: "The success of the charter is so great that the people jealously refuse to assent to changes in it, even though they be desirable."

The next city to adopt the federal plan was Indianapolis, in 1891. Previous to this time, according to Hon. Lucius B. Swift, the streets were almost impassable, there being but two miles of improved roadway. No adequate system of sewerage had been provided, neither was there a serviceable system of street lighting, in short, the city suffered all the evils of a corrupt and incompetent government.

To-day they have fifty-two miles of improved streets. In 1891 they had but twenty-three miles of sewers, while to-day they have over seventy-seven. Before 1891 the city used only antiquated gas lighting; now they have 821 electric lights. While the public debt has increased but \$400,000, the value of permanent improvements has increased by over \$5,000,000, and the tax-rate has actually declined. This remarkable change, says the board of public works in its last annual report: "We believe to be due primarily to the improved methods in the management of the city's affairs under the new charter." Writes G. L. Payne, editor of the *Indianapolis News*: "Jobbery and corruption under the new charter have been unknown."

"The great increase of interest in city affairs is shown by

the extraordinarily large vote at municipal elections." "It may be safely asserted that this city has profited to an unusual degree by the new charter."

Fort Wayne, Indiana, is the next city whose charter, adopted in 1893, is an exact model of our system. During the first year of its operation the department of streets, expended 45 per cent. less than it did the previous year, notwithstanding the fact that more miles of streets were improved than ever before. In less than two years a \$15,000 deficit was transformed into a \$15,000 surplus, while at the end of the next year this surplus was increased to \$73,000, and the problem now, says the mayor, in his last annual message, is how to get rid of the surplus. A special fund has already been set aside to be applied to the building of a municipal lighting plant. The tax rate has also greatly declined, being \$1.05 per \$100 assessed valuation during the first year and \$.95 per \$100 each succeeding year since the adoption of the new charter,—while during the coming year—estimates the comptroller, a rate of \$.75 per \$100 will be sufficient for all purposes. The city debt has also been reduced by \$8,000 during the same period. Writes the mayor in his last annual message: "A new era of progress and prosperity has dawned upon the city."

Says Chas. McCulloch, president of the first national bank of Fort Wayne: "The improvement under the new charter has been most marked. The standard of officers is higher, and the people take greater interest in the elections."

The next city to adopt the federal plan was Evansville, Ind., in 1893. Prior to the new charter the bonded debt of the city was over \$2,000,000 with little or nothing to show for it. Ten years before the city had repudiated its debt and its credit was gone. With the adoption of the new charter there was a remarkable decline in the annual operating expenses. The average yearly expenditures under the new charter were but \$360,000, while in the same period before its adoption, the average was \$403,000, a saving of \$43,000 or

11 per cent. a year,—although the city's population had increased 20 per cent. since 1890. As further proof we cite the tax-rate, which notwithstanding the fact that the assessed valuation has remained practically the same since 1891, still shows a rapid decrease.

The average rate for the period prior to the operation of our charter was \$1.52½ per \$100 assessed valuation, while since its adoption it has been but \$1.27 per \$100,—a decrease of 16 per cent. In spite of all this saving, says the mayor in his last annual message: "All public buildings have been kept in excellent repair. New streets have been paved and sidewalks laid; our parks have been greatly improved."

We have now presented to you seven concrete examples. All have been in practical operation sufficiently long to have had a distinct and determining influence on the city's condition. Their charters differ somewhat in detail, but in their general principles they coincide with our system. Uniformly the result has been a marvelous improvement. None of these would now revert to the old system. In addition to these seven, the following have during the past two years practically adopted the federal plan: Columbus, Holyoke, Elmira, Springfield, O., Binghamton, Bridgeport, and Buffalo. Every change in charters has been in the direction of giving the mayor greater power and corresponding responsibility. The recently proposed charter of greater New York is the embodiment of our system.

SUMMARY.

What was it that suggested this subject for discussion? It was not a mere desire for debate; it was not the product of fanciful theory. Our plan suggests no radical or revolutionary changes in our institutions.

Universal it is known that municipal government in this country is a conspicuous failure. Few cities, outside of those that have adopted our system, can boast of an honest and businesslike government. Immense municipal debts are multiplying year by year. Taxes are high and oppressive. Cur-

rent expenditures are enormous, and yet the money spent brings small returns in the shape of municipal service. Streets are uncleaned; sewers unrepaired; public works neglected; wastefulness and utter incompetency everywhere. Yet there are other evils of a more alarming nature,—the evils of municipal corruption and rottenness. Franchises of immense value are granted for almost nothing. Their passage through the council is affected by means of wholesale and barefaced bribery. Lavish appropriations are squandered. Measures of blackmail are regularly introduced. Aldermanic votes are as purchasable as ordinary merchandise,—as the recent instances in New York and Minneapolis bear witness.

The American people desire good government. Why then, is it that corruption and rottenness in the administration of municipal affairs is ever present? It is due to one all-important fact. It is due to the division of responsibility in city government. We find the administrative work of the city divided among numerous boards, committees, individuals and commissions, the duties of one body overlapping and clashing with those of another. There is no definite head, no source of common direction or common responsibility. All is chaos and confusion! Divided responsibility is no responsibility. It fosters corruption and shields the guilty. It attracts to public office the ignorant and vicious. It repulses the able and conscientious. It is the division of responsibility, due to the present complicated system, that shields the boodler from detection and punishment, and has filled our city councils with the most disreputable of political scum.

These evils are not temporary or transient. They are the inevitable consequence of any system that divides responsibility.

We, of the affirmative, have presented for your consideration a remedy that strikes at the very root of these evils. A remedy that is *reasonable, simple, effective and practical*.

Our remedy is reasonable. It involves no radical or revolutionary change. It is not necessary that every city should

abolish its present and adopt our proposed charter. Most of our cities have already taken steps in that direction. All that is necessary would be a few simple amendments to the present charter,—as in the case of Boston and other cities that have adopted our plan.

Our remedy is simple. It does not propose any elaborate or complicated system, but simply organizes the city government on a business basis. Its chief characteristics are: that it makes a sharp division between the legislative and executive departments of government; that it abolishes the existing conglomeration of irresponsible boards and consolidates them into a sufficient number of responsible single-headed departments; that it systematizes and simplifies our present administrative machinery; in a word, that it brings order out of chaos and converts complex inefficiency into businesslike simplicity.

Not only is our system reasonable and simple,—it is also effective. It cures the evil by removing its cause. By making the office of mayor one of power and responsibility better men will seek the position. By narrowing the issue and increasing the public interest at elections, the people can investigate the qualifications of the candidate, and see that only the best men are chosen to office; while only a single election is required to turn out an inefficient administration. There will be no inducements for corrupt men to seek city office, because the responsibility will be so located that the public can lay its finger upon the offender. And the city administration will be more efficient, because organized on a business basis.

That our system has proven successful in practical operation I have already shown.

Our remedy then, is reasonable, simple, effective and practical. But it is more than that. In view of the present deplorable condition of our cities,—the recent instances of corruption,—our system is *absolutely necessary*.

As opposed to this what have the negative to offer? They

tell you that the one-man power is dangerous. We reply, that by making the mayor the head of the city, responsibility will be centralized; that divided responsibility has been the source of our municipal evils.

They attack our system as undemocratic, in so doing they attack the very principles upon which our national government has been run for over a hundred years.

They tell you that the evils of the present system are only temporary, not inherent; that civil service rules will afford a complete remedy. For answer we point to our city and national governments. Both have suffered from the spoils system, yet one is a failure, the other a success. If the difference of system is not the cause, what is? Our system provides for civil service regulations. But it goes further. It strikes at the root of the evil.

They point to European cities under the council system, and wisely, for American experience under that system can give them little encouragement.

They speak of the burden of proof. Yet how insignificant is the burden we bear compared to the burden resting upon the negative. We seek no new system. All we ask is to apply to our cities those same principles that have made our national government so conspicuous a success,—to extend a system already operating in over a dozen cities.

Reform is not radicalism. Indeed it becomes conservatism when it is in response to a crying demand for relief from present evils. How shall the negative answer this? Upon them, then, rests the great burden of vindicating the present deplorable conditions.

They must defend the present unbusinesslike system, which places executive powers in legislative hands. They must prove that divided responsibility is a sound and safe principle in our republican form of government. They must justify a system that gives rise to every phase of municipal corruption; a system unsuited to American conditions, at variance with modern tendencies, and contrary to every principle of business management.

On the other hand,—they oppose a system which strikes at the root of these evils; a system which separates legislative from executive functions; which locates responsibility and organizes the city on a business basis. They oppose a system advocated by every investigating committee and supported by such men as Theodore Roosevelt, President Cleveland, and David Dudley Field.

And, finally, they oppose that consummation of 100 years of municipal progress,—the recent charter of greater New York,—drawn by the most distinguished committee that ever considered municipal questions,—Judge Dillon, Simon Sterne, Ben. F. Tracy, William DeWitt and Seth Low,—a charter that in every important feature is the exact embodiment of the system we propose to-night.

Gentlemen of the jury, your decision if it be for the negative must embody an explanation of the admitted and utter failure of the present system; must oppose the separation of legislative from executive functions; must antagonize the principles of our national government; must defend the division of responsibility in city administration; must oppose the introduction of business methods in city affairs; must hold that the unanimous decision of authorities and investigating committees is wrong; must oppose all reform and run counter to the tendencies of the time.

Your decision, if it be for the affirmative, will be simply a vindication of that progressive conservatism, which supports our system as the only practical, businesslike remedy for present evils.

THEO. W. BRAZEAU, PHILOMATHIA

The affirmative propose, as a remedy for municipal ills, an organic change in city government. They propose to take from the legislative branch its positive strength, and to vest in one man all executive and administrative as well as the most important legislative powers.

They have attempted to justify this step by claiming that their system was a strict division of executive and administrative from legislative function. The supreme court of Massachusetts decided (142 Mass. 201) that the initiation of public improvements was not an executive or administrative power. Neither is the affirmative system a division such as exists in the United States government, for congress has power to make any appropriation it desires, while under the affirmative system the legislative branch has not.

The system of the affirmative gives the mayor power to make all estimates for the following fiscal year. The council has no power to increase these estimates, but is left only the negative power of decreasing them. The power to make "all estimates," in its practical workings, gives the mayor power to make all appropriations, and therefore the power to initiate all public improvements and public work. Constructing and extending sewer, water and lighting systems, creating and enlarging parks, building bridges, opening, extending, and improving streets, and constructing public buildings, are all in the hands of the executive. Not only is the mayor given the power of executing public works but he is also given the power to determine whether they shall or shall not be done.

The initiation of public improvements and the decision of as to the amount and purpose of public expenditure, are clearly discretionary powers, and belong to the legislative branch. To take the control of the purse from the legislative

body, is a confession of the failure of the representative idea that few American citizens are willing to make.

Municipal government would not be improved by transferring powers of the council to the mayor anymore than the national government would be improved by transferring congressional powers to the presidents.

If our councils are poor the people must face the problem squarely and improve them.

The affirmative recognize that the council must be retained. They also give it important negative powers in granting franchises and licenses, and decreasing the estimates of the mayor. With a poor council these powers must only hamper the mayor as the experience of Brooklyn has shown, with a good council it is difficult to see why all legislative power should not be entrusted to that body.

The union of powers in one man, such as proposed in this question, is contrary to the representative theory of government and is a decided step backward.

The affirmative claim, however, that the concentration of power in one man will awaken responsibility in the people. To prove this they have given figures which they claim show a larger vote under the centralized system than under other systems.

Let us examine the value of those figures. In the first place he did not use the same standard of comparison throughout his tables. In some cases he used population, in others vote for governor. I have used the same standard in each comparison.

Second, the increase for mayor should not be compared with the increase for governor, but the vote for mayor under the centralized system compared with the vote for mayor under the council system in the same city.

Third, the standard of comparison he took was not a good one. The vote for governor is not an index to the possible number of votes, because it is almost as light as the vote for mayor, and also because the city vote is increased so largely

each year by the annexation of suburbs, while this does not affect the vote for governor. The mistake of comparing vote with population is still greater. Population gives us little idea of the number of possible votes because the foreign population differs so in different places.

Our comparisons have been with the presidential vote, because the vote for president gives the best index to the possible number of votes. A large number are called out by the excitement of a presidential campaign, and every one who votes for president can vote for mayor. We have compared the same city under both systems, except Brooklyn and Indianapolis, for which we were unable to get the votes under a council system. Of course the comparison in these two cities do not show anything either way.

CHART NO. 8—BROOKLYN.

YEAR.	MAYOR VOTE.	PRESIDENTIAL VOTE.	DIFFERENCE.	PER CENT. OF MAYOR TO PRESIDENTIAL VOTE.
1880	.....	107,319	.....	.....
1881	86,895	.....	20,424	89
1883	98,562	.....	.....	.....
1884	.....	119,496	20,934	82
1885	100,560	.....	.....	.....
1887	118,450	.....	.....	.....
1888	.....	157,685	39,238	75
1889	124,951	.....	.....	.....
1891	146,709	.....	.....	.....
1892	.....	177,655	30,946	82
1893	166,717	.....	.....	.....
1895	170,982	.....	.....	.....
1896	.....	190,947	19,965	89

CHART NO. 9.—PHILADELPHIA.

YEAR.		MAYOR VOTE.	PRESIDENTIAL VOTE.	DIFFERENCE.	PER CENT. OF MAYOR TO PRESIDENTIAL VOTE.
Council System.	1880	.....	173,889	.....	.....
	1881	150,643	.....	23,246	86
	1884	149,669	174,747	25,078	85
Mayor System.	1887	152,663	.....	.....	.....
	1888	.....	204,520	51,857	74
	1891	179,628	.....	.....	.....
	1892	.....	203,103	23,475	88
	1895	214,925*	.....	.....	.....
	1896	.....	244,892	29,967	86

*In some cases the figures used in these charts differ slightly from those used by the affirmative. This difference is due to the authorities used. Some include the vote for all minor candidates while others do not.

CHART NO. 10.—CLEVELAND.

YEAR.		MAYOR VOTE.	PRESIDENTIAL VOTE,	DIFFERENCE.	PER CENT. OF MAYOR TO PRESIDENTIAL VOTE.
Council System.	1880	.....	29,091	.....	.....
	1881	19,624	.....	9,467	67
	1883	24,443	.....	.....	.....
	1884	.....	37,864	13,421	64
	1885	28,099	.....	.....	74
	1887	25,298	.....	.....	.....
	1888	.....	41,178	15,880	.....
	1889	31,333	.....	.....	76
Mayor System.	1891	34,190	.....	.....	.....
	1892	.....	46,666	12,476	73
	1893	37,767	.....	.....	80
	1895	45,909	.....	.....	.....
	1896	.....	69,735	23,058	65

CHART NO. 11.—INDIANAPOLIS.

YEAR.	MAYOR VOTE.	PRESIDENTIAL VOTE.	DIFFERENCE.	PER CENT. OF MAYOR TO PRESIDENTIAL VOTE.
1891	22,568	.....	.....	.....
1892	.....	34,949	8,794	64
1893	28,715	.....	.....	.....
1895	31,751	.....	.....	.....
1896	.....	38,787	7,036	81

CHART NO. 12.—CINCINNATI.

YEAR.	MAYOR VOTE.	PRESIDENTIAL VOTE.	DIFFERENCE.	PER CENT. OF MAYOR TO PRESIDENTIAL VOTE.
Council System.	1884	57,856	.....	.....
	1885	51,745	6,111	89
	1887	47,167	.....	.....
	2888	64,193	.....	.....
	1889	50,803	14,390	72
Mayor System.	1891	51,556	12,843	80
	1892	64,399	.....	.....
	1893	.....	.....	.....
	1894	54,574	9,825	82

CHART NO. 13.—BOSTON.

YEAR.		MAYOR VOTE.	PRESIDENTIAL VOTE.	DIFFERENCE.	PER CENT. OF MAYOR TO PRESIDENTIAL VOTE.
Council System.	1880	41,654	53,335	11,681	78
	1881	40,167	.....	.....	.....
	1882	41,292	.....	.....	.....
	1883	53,449	.....	.....	.....
	1884	51,673	58,368	6,695	88
Mayor System.	1885	44,697	.....	.....	.....
	1886	45,709	.....	.....	.....
	1887	51,825	.....	.....	.....
	1888	63,552	65,169	1,617	97
	1889	56,881	.....	.....	.....
	1890	54,254	.....	.....	.....
	1891	55,019	.....	.....	.....
	1892	66,667	74,683	8,016	89
	1893	68,228	.....	.....	.....
	1894	68,588	.....	.....	.....
	1895	76,721	.....	.....	.....
	1896	.....	82,307	5,586	93

CHART NO. 14.—MILWAUKEE, (COUNCIL CITY.)

YEAR.	MAYOR VOTE.	PRESIDENTIAL VOTE.	DIFFERENCE.	PER CENT. OF MAYOR TO PRESIDENTIAL VOTE.
1882	16,866	.....	.....	.....
1884	20,422	28,899	8,477	70
1886	26,578	.....	.....	.....
1888	31,975	37,121	5,146	86
1890	31,033	.....	.....	.....
1892	38,885	45,011	6,126	86
1894	46,451	.....	.....	.....
1896	42,414	63,432	21,018	67

As far as these election statistics show anything they show no general increase of vote under the concentrated system, such as to warrant the conclusion that there is a greater interest under that system than under other systems. Boston is the only city that shows a greater per cent. of votes since the adoption of a concentrated system, and it only shows it for the particular years used. For all other years it shows no greater vote than under the old system. Indianapolis and Brooklyn under concentrated systems show no greater per cent. of votes than Milwaukee under a council system.

The vote for mayor under a "mayor system" tells the same sad and significant story of civic indifference as the vote under other systems. (See chart.) Brooklyn has as high as 39,000 stay away voters in one election. Philadelphia, where the indifference is very great, had as many as 51,000 voters stay at home while corruption ran riot in the city hall. Cleveland had, in 1895, 27,058 indifferent voters, Indianapolis 7,000 out of 38,000, Cincinnati 9,825, and Boston 8,000.

I think I am warranted in saying that there is no greater interest under a system of concentration than under any other system. At least no greater interest is shown by the votes cast at city elections.

Since, then, the concentration of power in the mayor fails to arouse greater interest in municipal affairs, we should expect to find the same evils under that system as under other systems.

Let us look at the practical operation of concentration in the United States.

Brooklyn, N. Y., Quincy, Mass., Indianapolis, Cleveland, Boston, Cincinnati, Philadelphia and a few minor cities have adopted a system similar to that proposed by the affirmative. Here we should expect to find all the benefits claimed for concentration.

My colleague has shown beyond a doubt that the affirmative system in Brooklyn has failed to accomplish its aim. Since 1882 they have had Whitney, Boody and two terms of Chapin, all subservient tools of "Boss McLaughlin," and at present they are enduring the reign of Frederick W. Wurster.

Ex-Mayor Schieren of Brooklyn, writes us, and also testifies in an interview in the New York *Evening Post* of August 4, 1894, that the administrations of Mayors Boody, Whitney and Chapin were corrupt.

Frank J. Goodnow, professor of administrative law in Columbia college, writes us: "I do not think that the history of Brooklyn under the new charter that was adopted in 1888, and which vests so much power in the mayor, would show that better municipal government can be expected under it than under a scheme which recognizes greater powers as existing in the council. Certainly since 1888 the government has been oftener bad than good."

James McKeen, a prominent attorney of Brooklyn, and member of the civil service league, C. Augustus Haviland, an attorney interested in municipal reform, Geo. F. Peabody of the Brooklyn civil service league, Edward M. Shepard reform candidate for mayor against Wurster, Elmer E. Johnson of the Brooklyn civil service league, and many others whose names I am requested not to publish, all testify independently to the same fact, that Boody, Chapin, Whitney and Wurster have given Brooklyn poor government.

Good Government, the civil service league organ, is now attacking Wurster for the abuse of his power. To summar-

ize the results in Brooklyn we can say that they have elected four corrupt mayors out of six.

The affirmative claimed that Mayor Chapin paid only \$400,000 for the suburban water plant my colleague spoke of. The fact is Mayor Chapin signed the contract for the purchase of this plant for over one million dollars, but its execution was stopped by injunction, and the case is now pending in the United States supreme court.

New York's corruption under an extreme concentrated system, is too well known to need mention. Grant and Gilroy gave New York the most corrupt government in the world.

In 1889, Quincy, Mass., adopted a charter concentrating power in the mayor.

In its practical workings, the charter has been such a dismal failure, that its author, Mr. Bradford, in 1893, said: "It must be admitted upon evidence of leading citizens of Quincy, that the charter has thus far failed to accomplish its purpose; that extravagance of expenditure, local jobbing and caucus politics, are as rampant as in any other city in the state."

In 1891 Indianapolis adopted a charter exactly like the one proposed by the affirmative. Indianapolis has a population largely American; it is the capital of the state and is known as a city of churches.

When the concentrated scheme was adopted, the citizens organized a reform association of nearly 1,000 members. With the new charter, a number of reforms were also adopted which aimed at the root of municipal evils, such as civil rules, and separation of national and city elections. The Indianapolis charter of 1891, therefore, started under ideal conditions.

Under the new charter three mayors have been chosen, Sullivan, Denny, and Taggart, all morally weak, and narrowly partisan, who shamefully abused the power intrusted to them.

The charter provides for appointments under civil service rules, "which no honorable officer would for a moment think of disregarding." Yet Sullivan entirely ignored these rules

and filled the offices for personal and partisan gain. Before election he employed three times the needed number in city labor, and let gambling houses and saloons run in open violation of law.

Mayor Denny followed the course of his predecessor. He utterly disregarded the civil service provision of the charter, run the city in the interests of his party, and consequently gave a corrupt and inefficient administration. So inefficient in fact that the department of public works was investigated by a committee of the council, revealing gross inefficiency and corruption in the granting of contracts and execution of public work. A committee of the board of trade found the same inefficiency in the fire department.

Mayor Taggart, the present mayor, is the climax of the weak mayors of Indianapolis. He is much worse than his predecessors. Under his administration the civil service sunk so low that an investigation by the Indiana civil service commission resulted. The report of the commission does not generalize upon the corruption but bristles with numerous specific cases.

The charter provides that officers shall be removed only for cause; yet the investigating committee found a wholesale removal of officers for "inefficiency," who were in every case replaced by Taggart partisans.

The committee summed up the result of its investigation in these words, the foregoing facts "show to your committee that the best interests of the city are being disregarded for personal and party considerations." Good city government demands experienced heads of departments, yet Indianapolis, like Brooklyn, has suffered from continual change of the higher administrative officers.

Says the editor of the *Indianapolis News*: "We have never had a competent city engineer and the blundering work this incompetence has cost us, is to be estimated by tens of thousands of dollars."

The experience with the affirmative system in Indianapolis proves conclusively that mere change of system cannot remedy our municipal ills.

"Boston's charter," says Ex-Mayor Matthews, "is a more consistent application of the theory of executive responsibility than can be found in any organic law of any other large city in this country." Yet the people have elected mayor after mayor, under this charter, who have disappointed every hope of the reformers. The first four years under the centralized system, it cost Boston \$5,000,000 more to conduct the business of the city than for the four years previous under a council system, yet the debt increased as rapidly, and less was expended for public improvements. City employes were hired at more than the market rate and the greatest frauds in executive contracts perpetrated.

Hon. L. B. Tuckerman of Cleveland says: "I was strongly in favor of the federal plan until we had it, and now I am inclined to regard it as bad as the old system in its actual workings." An investigation in Cleveland lately, revealed the same defects there as are found in other places. Says the committee of investigation: "Even the federal plan has not brought about the application of strict business methods in the conduct of city affairs."

Cincinnati has been still worse. Speaking of the charter of that city before the conference for good city government, Mr. Wilby said: "It is claimed that the law was a step forward because it reposed greater power in the mayor, but we have the same sort of mayor now that we habitually had before the law was passed." Boss Cox still reigns in Cincinnati.

Philadelphia, since the adoption of its concentrated system in 1887, has been as corrupt as any city in America. In regard to the Philadelphia charter, Hon. Herbert Welsh, of that city, says. "We have had the most complete failure in practical results. The city has been under the control of corrupt politicians, administration has been wasteful and extravagant, and the civil service rules have, in the hands of officers who did not care to enforce them, been practically a dead letter."

The affirmative stated that Philadelphia has good city government, but, gentlemen, I have no hesitation in saying that Philadelphia is the worst governed city in America.

Writes D. G. Fanno, managing editor of the *Philadelphia Times*: "The practical working of the new law has not been satisfactory. This would probably be an ideal form of government for cities if the people would elect an ideal mayor; but unfortunately our elections are controlled by a corrupt machine, who by controlling the nominations at the primary elections always place their own creatures in power. This has been the experience in Philadelphia and under the new system we have had the most corrupt and most extravagant government ever known in our history."

Before the senatorial investigating commissioners, Geo. McAneny, secretary of the New York Civil Service Reform Association, said Philadelphia was the worst place in the country from a reformer's standpoint.

The affirmative claimed the government of Philadelphia economical. Ex.-Gov. Patteson says: "The expenditures of the government of Philadelphia for the year 1894 were \$32,190,000 an average per capita for each voter of \$150. For the year 1887, the first year under the new charter they were \$17,638,304. For this enormous increase it is venturing nothing to say no adequate return has been received. Promises of better and cheaper gas, of purer and more abundant water, of splendid street improvements and other public benefactions, have been clamorously kept to the ear and have been persistently broken to the hope. Improvident contracts have wasted the substance of the people. Lavish salaries have rewarded placemen, holding sinecures, while 20,000 school children are to-day denied fit accommodations. The various departments of the city government and their armies of employes have injuriously interfered to control the politics of the city. Municipal officers have betrayed their trust to the great shame of the city and to the loss of millions of the public moneys. Profligacy has quickly succeeded extra-

gance and the revenues of the people have become the spoils of the unscrupulous."

There is no interest in municipal affairs in Philadelphia. From Bryce American Commonwealth, vol. I, p. 102, I take this quotation: "A trustworthy correspondent writes to me from Philadelphia (1894), 'There is probably an average of 150 republican voters to an election district. The average attendance at primaries is said to be about twelve, which is approximately the number of party servants necessary to manage the meeting under party rules.'" Yet the republican party rules Philadelphia! I have here the citizens municipal association reports of Philadelphia, which are nothing but records of corruption in that city. They have just finished the Queen Lane Reservoir at a cost of \$1,500,000, and yet the authorities do not dare to fill it with water. It won't hold water.

Yet the affirmative do not admit evils under their system. You will observe, Hon. Judges, that the cities in the United States, which have the poorest government—Boston, New York, Brooklyn, Philadelphia, Indianapolis and Cincinnati—have a mayor with extensive powers, while many cities where the council is powerful, as Minneapolis, St. Louis, Buffalo and Atlanta, are having good city government.

You will observe, also, Hon. Jurors, that the mayor has abused the power placed in his hands, to as great, if not greater extent, than the councils have abused their power. According to the affirmative logic, power should be taken from the mayor and given to the council.

In considering a change of charters in our larger cities, we should not overlook the fact that city government in all parts of the United States the last ten years has been constantly improving.

Prof. Bryce says: "No one who has studied municipal government in the United States the last twenty-five years will doubt that there is a decided improvement." Hon. Seth Low says: "There is substantial reason for thinking that the general tendency even in larger cities is toward improvement."

Says Dr. Albert Shaw: "The worst things in American municipal government are undoubtedly behind."

This improvement is apparent from the great number of reform associations which are educating the people to a better understanding of municipal problems. We have better election laws than we had, schools are better, population more stable, and more intelligent men are giving a portion of their time to the welfare of the city.

This improvement is noticable in all parts of the United States under all kinds of charters.

It has been no greater in cities under the affirmative system than under other systems.

The system supported by the affirmative is not a logical application of concentration. The theory of concentration is to vest power in a single person, so that responsibility may be undivided, but the affirmative system leaves the council joint powers with the executive. The affirmative assume it impossible to choose a good council, yet leave with the council power to veto all licenses and franchises, and power to decrease the estimates made by the executive—enough powers to destroy the theory of executive responsibility which concentration aims to secure.

The affirmative system is also a tendency in the wrong direction. The father of that system, Hon. Seth Low, says: "No one will contend that this (concentration of power) is the ultimate or ideal condition of affairs." If it is not the "ultimate or ideal condition," then we say that a change to such a system must be only temporary, and would place us years behind in the development of our municipal government.

England, Scotland, and Canada, countries that have solved the question of municipal government, all have worked in the opposite direction.

Says H. W. Williams: "A city exists to protect the health, life, property, and persons of its citizens, to furnish them with light, water, and transportation, to maintain streets,

alleys, and public parks. Some corporate body must determine how and at what cost these various ends are to be attained. To bestow this power on the mayor, to have him not only execute but enact the laws, is not only contrary to the spirit of our institutions but would be absurd."

The remedy proposed by the affirmative is superficial. It was the first impulse of certain reformers, but it does not go at the root of the evil. When these reformers began to look for a remedy for municipal ills, they saw a council with large powers. They jumped at the conclusion that if the powers were taken from the council it would improve the government. They did not see that a poor council was an effect and not a cause; they did not see that if the mayor had possessed the power, the evils would have been found in the executive department; they did not profit by the experience of every civilized country on the globe in trusting the council with large powers; and they did not take into consideration the ideals of the American people.

The concentration of power in one man was the first impulse, but the sober second thought has brought a reaction. The great New York commission in 1890, which made the most thorough investigation ever made into municipal government, reported against concentration.

The greatest municipal reformers oppose the change. Dr. Albert Shaw, Dr. Richard T. Ely, James C. Carter, president of the National Municipal League, Dr. Parkhurst—the greatest authorities on this subject in the United States—are opposed to such a system. They oppose it because in theory it is superficial, in practice a failure.

To summarize: we have shown that the evils of city government in the United States cannot be remedied simply by legislation; that they are due to causes more fundamental; causes such as crowding of cities by a marvelous growth, undesirable immigration, abuse of suffrage and naturalization; to the confusion of national and city politics, the influence of corrupt money power, the constant interference of the state

in local affairs, the lack of administrative knowledge; and finally to the apathy and indifference of our best citizens to the welfare of our municipalities.

We have pointed out the common error of constantly depending upon legislation for reform.

We have shown the difficulty under present conditions of securing a mayor, morally and intellectually great enough to fulfil the demands of their system, and that such difficulty has been found in practice.

We have shown the dangerous power this system throws into the hands of a corrupt man.

We have shown that under this "one man system," the council must degenerate into a mere rudimentary body, and the most useful and democratic part of our city government become a clog upon our municipal machinery.

Further, we have shown that the council is more in touch with the people than one man can hope to be; that through its discussion and recorded vote the council secures publicity and corresponding responsibility, which the secret and speedy action of one man cannot secure; that the council represents all parties, all factions, and all shades of opinion in the administration of public affairs; that it furnishes a place for a large and growing number of educated men in the municipal service.

We have shown that the proposed system is, at best, a temporary measure, is inconsistent, and a tendency in the wrong direction. We have shown that concentration has failed to arouse civic pride and failed to give good government.

We have shown that it has not proven a remedy in Brooklyn, New York, Philadelphia, Boston, Cleveland, Quincy and Indianapolis. In brief, we have proven that nothing is to be gained by the change. Finally we have shown that the remedy for our municipal ills lies in the separation of national and local politics, a pure civil service, home rule for cities, and the education of the people to higher ideals of city gov-

ernment. We have shown that many of the conditions which prevent these reforms are passing away.

The affirmative propose to vest in one man, all executive and administrative power of our cities, the control of appropriations and the initiation of all public works—they propose to make one man the city government. A great burden rested upon them to prove beyond a doubt that such a radical change should be made. To have maintained their proposition they should have shown: first, good reason why the ninety-five cities included should change the charters under which they are now operating; second, they should have shown that the change should go as far as the system they advocate.

To have proven the first proposition,—to have shown why a change should be made in all cities in the United States from forty thousand to three million inhabitants—they should have shown serious evils in the government of these cities.

But the greatest evils of city government are found in the larger cities, which have to a great extent concentrated systems. Moreover these evils are only temporary and according to Dr. Albert Shaw, Hon. Seth Low, and Prof. Bryce, are rapidly passing away.

Even should they have proven cities above 40,000 inhabitants poorly governed, before they could have concluded that these cities should change their form of government, they should have traced the evils directly to the charter.

This they have failed to do; for we have shown that there are at least ten fundamental causes to which poor city government is due; second because we have shown that cities all over the United States are well or poorly governed regardless of the form of their charters. And third, because they could not explain the improvement of city government the last ten years regardless of the charters under which cities are operating. Have they, then, not failed to prove their first proposition?

Suppose, however, they should have proven that cities over 40,000 inhabitants have poor government, and that this poor government is due to the charter under which they are operating, they still had left the greatest step in their proof—to have shown their system the remedy.

To have proven this proposition they should have shown: first, that the present system, with the reforms we have suggested, is not capable of remedying the evils they have pointed out.

But we have gone beyond our mere duty, analyzed the causes of poor city government, and given affirmative arguments showing how the evils can be overcome with these reforms. The precedent of every civilized country refutes the idea that there is any inherent weakness in government by councils.

Second, to have proven their system the remedy, they should have shown it a permanent system, capable of adapting itself to democratic conditions, and not as we have pointed out, a temporary measure of relief. Third, and most important, to have proven their system the remedy, they should have shown that in practice it has been able to stem the tide of municipal corruption. Have they not failed to prove this important point and thus failed to establish their second proposition? Have they explained Mayors Whitney, Boody, Chapin and Wurster under the Brooklyn charter, and the failure in Quincy, Cleveland, Boston, Philadelphia and Cincinnati? Have they explained the corrupt government of Indianapolis, and Tammany's hold upon New York? Has their system not shown the same evils as the system they condemn?

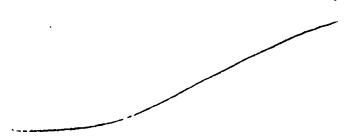
But conditions in every one of the cities should have greatly improved, for conditions in all cities have greatly improved. They should have shown that the improvement in cities with a concentrated system has been greater than in cities under other systems. In showing this they should not have confused what the charters have done, and what has been done by great reforms quite independent of the charter. Have they considered these elements?

Even should they have shown it a success in one of the cities where it has been tried, would it prove anything for different cities under different conditions?

If we have succeeded in overthrowing any one of the arguments that go to establish their conclusion, we are entitled to your verdict. The legitimate duty of the affirmative was to prove their system not equal to, but better than the negative system, and to prove this beyond a doubt.

In conclusion: the affirmative should have shown strong cause for action, because of evils of our cities, due to the charters; and they should have shown that a change as radical as they propose is the remedy.

Gentlemen, in the face of the evidence we have produced, have they established these two propositions?



OTTO BOSSHARD
THREE MINUTE REBUTTAL

Worthy jurors, once more I wish to call your attention to the character of their argument. They have based it from beginning to end on general statements. We have substantiated every proposition with specific facts from official records and reports. They have quoted individuals. We have quoted commissions.

Now in regard to the city of Brooklyn, concerning whose government they have found so much to deplore. I simply want to ask you gentlemen does it seem plausible, that if the government of Brooklyn through all these years has been in the wretched condition which the negative claim it has been, and if this condition is a result of the workings of our charter,—I ask you, does it stand to reason that men who now compose the Greater New York Commission, men who have lived in New York and Brooklyn all their lives and who ought to know the true condition of that city, I ask you, does it stand to reason that these same men, should insist in proposing a charter for Greater New York nearly identical with that of Brooklyn, if as the negative claim, it has worked so unsuccessfully there? No, gentlemen, the very fact that the charter of Greater New York was modelled after that of Brooklyn is the strongest possible argument in behalf of our system.

The last speaker with his charts on elections attempted to disprove the argument of my colleague, regarding the added interest in elections following the adoption of our system. He took the difference in the number of votes cast for president and in the number of those cast for mayor in the various cities. He showed that this difference was just as large in our cities as it was in cities governed by the council system. In some of our cities he showed that this difference in votes

was increasing, thereby leaving you to infer that the number of "stay at home voters" increases, or in other words, that interest in municipal elections, under the federal system actually declines. Again I maintain that the only just method of comparison is by comparing the size of the vote cast for mayor, before and after the adoption of the new system as was done by my colleague. But even accepting the gentleman's own figures as he has presented them, they simply emphasize more strongly the truth of my colleague's argument. I have only time to call your attention to two of his charts but they all illustrate the same point. If you will observe his chart of election statistics for the cities of Boston and Milwaukee you will find that the number of "stay at home voters" in the municipal elections of Milwaukee is never less than 21,000 while in Boston, this number has never exceeded 8,000. This shows the contrast between the two systems. Boston with double the population has on the average only one-third as many "stay at home voters" as has Milwaukee. Yet Milwaukee is governed by the council, while Boston is governed by the federal system. Need there be any further argument to convince you that the people manifest greater interest in city affairs under our system than under the present?

Remember, gentlemen, our cities must operate under some system of government. The question is,—shall they be governed by the present chaotic, complex and unbusinesslike system,—a system responsible for the deplorable condition of our cities,—or shall they be governed by the federal plan—a system based on sound principles of government, and one which has worked an improvement wherever tried.

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For the benefit of those desiring information on other phases of the municipal question, we have given references to the various bibliographies on municipal government which have lately appeared. Only the principal works on the general subject of municipal government are included in the remainder of the bibliography.

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Very good discussion of the legal relations of the state to the city and the abuses arising from this relation.

GOODNOW, FRANK J.

"Municipal Problems." N. Y., Macmillan. 1897.

The best, in fact the only work in book form covering the problems of municipal government.

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From these two works a very satisfactory knowledge of all the European city governments can be obtained. Outside of scattered magazine articles they are the only source of information accessible. The author has collected a store of interesting and instructive material which he has arranged in systematic form. The two works together with those of Goodnow should be the first to find a place in a library on municipal government.

CURRENT LITERATURE DEVOTED TO MUNICIPAL GOVERNMENT.

A number of papers and periodicals have appeared the last few years devoted solely to municipal government and municipal reform. The leading ones are given below.

Good Government. Official Journal of the Nat. Civil Service Reform League.
Pub. monthly, New York. \$1.00 per year.

City and State. Pub. weekly. Philadelphia, 1305 Arch St. Herbert Welsh,
editor. \$1.00 per year.

Municipality and County. Monthly, 202 Main St., Buffalo, N. Y. J. Henry
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Municipal Year Book. J. Henry Wood, Buffalo, 1897. A book that fills a
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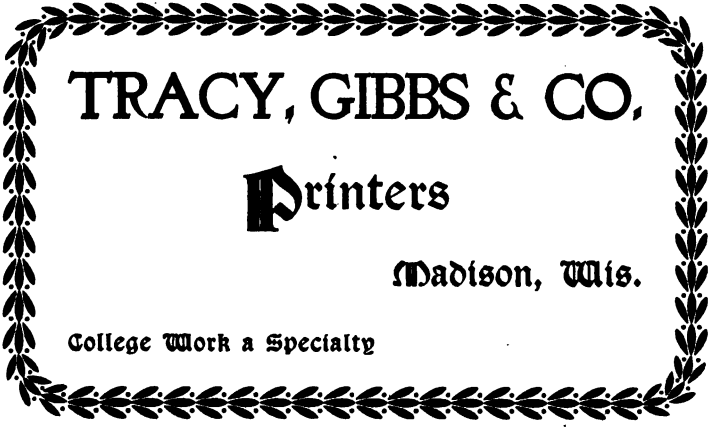
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